

**AREA 2 | SUMMIT & MEDINA
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
POLICY LETTER D-01 | IMPLEMENTATION OF WORKFORCE
DEVELOPMENT SERVICES UNDER THE OPIOID EMERGENCY
RECOVERY GRANT**

- I. **SUBJECT:** Local Implementation of Workforce Development Services Under the Opioid Emergency Recovery Grant
 - II. **PURPOSE:** To define participant eligibility, allowable services, and other policy parameters to Workforce Area 2 to implement and deliver opioid emergency grant services.
 - III. **EFFECTIVE DATE:** October 1, 2019; June 24, 2021
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IV. BACKGROUND

Opioid use disorder and overdose deaths have become the most pressing public health issue and workforce challenge facing Ohio. According to the Ohio Chamber of Commerce, half the businesses surveyed report suffering the consequences of substance abuse in the form of absenteeism, decreased productivity, and worker shortage. On August 10, 2017, the opioid epidemic was declared a national health emergency. The US Department of Labor (DOL) published Training and Employment Guidance Letter No. 4-18 to provide instructions on how states could apply for Disaster Recovery Dislocated Worker Grants to respond to the opioid crisis. In response, the Ohio Department of Job and Family Services (ODJFS) applied for and received an \$11 million discretionary National Health Emergency Disaster Recovery National Dislocated Worker Grant.

This time-limited grant will be used to:

- Facilitate community partnerships that are central to dealing with this complex public health crisis;
- Provide training that builds the skilled workforce in professions that could impact the causes and treatment of the opioid crisis: addiction treatment, mental health, and pain management;
- Ensure the timely delivery of appropriate, necessary career, training, and support activities to eligible participants, including participants who have been impacted by opioid use, to promote successful reemployment;
- Create temporary disaster-relief employment that addresses the unique impacts of the opioid crisis in affected communities; and
- Increase engagement with and support for employers to modify hiring practices and drug-free work place policies that ensure more job opportunities and job retention.

V. ELIGIBILITY

Workforce Area 2 shall ensure that individuals served under the Opioid Emergency Recovery grant have met all eligibility criteria, including those in 20 C.F.R. § 687.170(b)(1)(i) – (iv), and the State’s policy letter on adult and dislocated worker eligibility.

Individuals eligible to receive Opioid Emergency grant services must be one of the following:

1. A dislocated worker;
2. An individual temporarily or permanently laid off as a consequence of the opioid emergency;
3. A long-term unemployed individual; or
4. A self-employed individual who became unemployed or significantly underemployed as a result of the opioid crisis.

The eligible individuals are not required to have a history of opioid use disorder to qualify for Opioid Emergency Recovery grant services and cannot be required to disclose whether they have been impacted by the opioid crisis as a condition of participation. However, to target services to individuals impacted by opioid use disorder and to make appropriate referrals, local areas may only ask applicants or participants the following optional question:

- Your answer to this question is voluntary. Do you, a friend, or any member of your family have a history of opioid use? Please answer “Yes,” or “No.”

Area 2 will treat applicant and participant responses to the above question as confidential information, along with any other medical information obtained from applicants or participants or shared by partners, mental health providers, addiction recovery centers, or other organizations pertaining to the individual’s health, disability, or medical conditions. Any forms that include an opioid impact disclosure will be separate from the WIOA intake or assessment forms. In accordance with 29 C.F. R. § 38.41(b)(3), the confidential information will be:

- Used only for determining appropriateness for services;
- Maintained in a separate file apart from the WIOA case file;
- Locked up or otherwise secured through password protection if electronic; and
- Restricted from access by unauthorized individuals.

VI. OPIOID DISASTER GRANT COMMUNITIES

Extensive research has shown that the opioid crisis in Ohio is so pervasive in multiple impact categories that disaster recovery requires a comprehensive approach.

Data for each county in the state was reviewed for four key categories of impact:

1. Overdose mortality rates;
2. Costs per capita of opioid abuse (costs for health care and treatment, criminal justice, lost productivity among current opioid users, and lost productivity due to overdose deaths);
3. Limited or no access to medication-assisted treatment; and
4. The percentage of children entering County Children Services custody due to parental opioid use.

Ohio then organized the counties into nine Opioid Emergency Recovery grant communities according to the combination of common impacts they are experiencing. Summit and Medina Counties were assigned to Communities I and II, respectively, resulting in a slight difference in allowable services between the counties. A detailed description of both communities can be found in Attachment A of this policy.

After determining the impacts experienced by each community, Ohio further identified the humanitarian and clean up needs as well as the healthcare, treatment, and training needs specific to those communities.

VII. ALLOWABLE SERVICES

In planning and implementing services under the Opioid Emergency Recovery grant, local areas should consider that the grant is meant to alleviate the devastating effects of the opioid crisis through:

- Disaster-relief employment aimed at alleviating the issues caused by the opioid crisis in affected communities;
- Career, Training, and Supportive Services for eligible participants aimed at increasing the number of qualified professionals in fields that can have an impact on the opioid crisis;
- Providing a full array of workforce services to eligible participants who disclose that they have been impacted by the opioid crisis, in an effort to reintegrate them into the workforce; and
- Increasing engagement with and support for, employers to modify their hiring practices and drug-free workplace policies to ensure job opportunity growth and greater job retention.

Participants enrolled in disaster-relief employment may be co-enrolled in employment and training activities and receive supportive services. Individual enrollment in temporary employment is limited to 24 months or 4,080 hours.

In addition to disaster-relief employment, participants (both those who are and those who are not enrolled in disaster-relief employment) may receive employment and training activities.

Participants may only be enrolled in:

- Disaster-relief employment only;
- Employment and training activities only; or
- Both disaster-relief employment and employment and training activities. These may occur concurrently, or one may occur prior to the other.

Career Services

Area 2 will provide basic and individualized career services such as job search assistance, initial and specialized assessments of skill levels, career planning, and prevocational services as outlined in Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 15-08.1, Career Services for Adults and Dislocated Workers. Additional services for individuals may include job coaching and peer support to address barriers to employment, such as criminal history, drug relapses, probation and treatment requirements, and gaps in employment.

Training

Training services provided under this grant must prepare eligible individuals for employment in high-growth sectors within the local economy.

Individuals who disclose that they, a family member, or friend have been impacted by the opioid crisis may be trained in any in-demand occupation. The link below provides access to in-demand occupation data: <https://topjobs.ohio.gov/wps/portal/gov/indemand/top-jobs-list>.

Individuals who state that they are not impacted by the opioid crisis or do not respond, may only be

approved for training in addiction treatment services, mental health treatment, pain management services and practices, and professions that are approved by DOL specific to each community that will mitigate the underlying circumstances of the opioid crisis –

For Summit County (Community I), that means the following professions:

- Emergency Medical Technician (EMT);
- Healthcare – child, family, and school or mental health and substance abuse social worker;
- Medical Assistant; and
- Nurse

For Medina County (Community II):

- Emergency Medical Technician (EMT);
- Healthcare – child, family, and school or mental health and substance abuse social worker; and
- Nurse

The limitations on training apply to all training services funded by this grant, which include On-the-Job Training and Occupational Skill Training. Long-term training may be supplemented with WIOA formula funds if the training extends beyond the grant period.

On-the-Job Training (OJT) plans written under the grant are subject to the requirements and guidelines offered in **Area 2 Policy Letter C-09 On-the-Job Training**. Occupational skills training, provided as an Individual Training Account (ITA), are subject to the requirements and guidelines offered in **Area 2 Policy Letter C-05 Individual Training Accounts** with the following exceptions:

1. The training provider does not need to supply or meet any performance in order to be utilized by a student participant, however, they must be listed in WIET;
2. The training provider may be reimbursed 50% of the cost of the ITA after the student participant attends the first day of the program and the remaining 50% when the student participant attends the last day of the program and completes the program satisfactorily; and
3. The training provider and/or student participant may be subject to additional monitoring.

Temporary Disaster-Relief Employment

Disaster-relief employment must quickly address immediate, specific needs of the community. DOL approved specific types of disaster-relief jobs based on each community's needs. Disaster-relief jobs funded by the Opioid Emergency Recovery grant are allowable only for jobs that alleviate the unique impacts caused by the opioid crisis, as well as jobs that provide humanitarian assistance to those impacted by the crisis, which include: actions to save lives, alleviate suffering, and maintain human dignity. Humanitarian assistance jobs must directly relate to the effects of widespread opioid abuse.

For Summit County (Community I), the following jobs may be considered for temporary disaster relief employment services:

- Administrative Assistant (Courts)
- Administrative Assistant (Hospitals/Emergency Departments)
- Coroner's Administrative Assistant
- Court Deputy Clerk
- Educational Aide
- Emergency Medical Technician (EMT)
- Employer Substance Abuse Network Coordinator
- Information Clerk
- Intake, Coordination, Housing, Employment, & Social Service Navigator/Care Coordinator

- Medical Assistant
- Medical Secretary
- Peer Recovery Supporter
- Police, Fire, and Ambulance Dispatcher
- Probation Officer
- Social Service/ Children Services Case Aide, Aka Recovery Coach
- Social Services Aide
- Student Monitor

For Medina County (Community II), the following jobs may be considered for temporary disaster relief employment services:

- Administrative Assistant (Hospitals/Emergency Departments)
- Coroner's Administrative Assistant
- Educational Aide
- Emergency Medical Technician (EMT)
- Employer Substance Abuse Network Coordinator
- Intake, Coordination, Housing, Employment, & Social Service Navigator/Care Coordinator
- Peer Recovery Supporter
- Police, Fire, and Ambulance Dispatcher
- Social Service/ Children Services Case Aide, Aka Recovery Coach
- Social Services Aide
- Student Monitor

Area 2 will use assessments (including those conducted by partners) to determine each individual's needs, interests, skills, work experience, and readiness for work as they relate to the requirements for the types of disaster-relief employment available, to determine whether an individual will be placed in such jobs and if employment and training activities are needed prior to or during disaster-relief employment.

Temporary disaster-relief employment jobs are time-limited to 24 months (or 4,080 hours). Disaster-relief employment provides income maintenance to participants and services to the community while moving participants into permanent, unsubsidized jobs.

Supportive Services

Grant-funded supportive services such as transportation, childcare, and housing assistance, and referrals to mental health, addiction, and trauma specialists may be provided to grant participants in need of such services; all supportive services listed in **Area 2 Policy Letter C-12 Supportive Services** are also eligible under the grant. Additionally, individuals with substance use disorder may be offered additional partner services such as addiction and other outpatient treatment, support during training and employment, and referrals to health and mental health care.

Area 2 may not spend more than 20% of their Opioid Emergency Recovery grant funding on supportive services for participants.

VIII. UNALLOWABLE SERVICES AND ACTIVITIES

Opioid Emergency Recovery Grant funds may not be used to pay for:

- Testing of participants for the use of controlled substances;
- In-patient treatment for substance use disorder; or

- Incentive payments to participants.

IX. SUBRECIPIENTS AND CONTRACTORS

Competitive procurement is required should a specific need or service be identified that would require the services of a subrecipient or contractor with expertise in that need or service. Area 2 may enter into subrecipient agreements or contracts with public entities, not-for-profit organizations, and private-for-profit entities, including organizations that assist individuals in recovery from substance use disorder.

Contractors must be competitively selected in accordance with federal, state, and local procurement rules. For-profit contractors and subrecipients may keep the profits earned from performance of grant activities. The amount of profit must be negotiated as a separate element of the overall price of the services with consideration given to the complexity, risk, past performance, and industry profit rates in the surrounding geographical area for similar work. Profits that are excessive or that are not justified using the aforementioned criteria will be disallowed and cannot be paid from grant funds.

X. REPORTING REQUIREMENTS

Area 2 will report grant participants served under the Opioid Emergency Recovery grant in the state's designated case management reporting system (OWCMS) under the special grant office created for the grant. Within 30 days of participant enrollment and provision of each service, all services and activities must be entered into the case management reporting system special grant office section.

The outcomes of participants in the Opioid Emergency Recovery grant will not affect the local area's WIOA performance measures, unless the local area opts to co-enroll participants in local WIOA formula-funded programs.

Area 2 will request cash draws and report expenditures and other financial information using the State's designated financial reporting system (CFIS), including the client tracking detail for participant-level direct service costs.

In addition, Area 2 will submit quarterly narrative reports on a template provided by the designated ODJFS project manager.

XI. MONITORING

If applicable, Area 2 will assess the risk of non-compliance of each subrecipient and develop monitoring policies outlining the procedures, frequency, and methods for assuring that grant-funded services carried out by the subrecipient are compliant and for resolving any findings of non-compliance.

XII. REFERENCES

1. Workforce Innovation and Opportunity Act §§ 134 and 170, Pub. L. 113-128
2. USDOL, Training and Employment Guidance Letter No. 4-18, National Health Emergency Phase Two: Disaster Recovery National Dislocated Worker Grants to Address the Opioid Crisis
3. 2 C. F. R. § 200.330
4. 20 C.F.R. §§ 683.215 and 687
5. 29 C.F. R. § 38.41
6. ODJFS WIOAPL 19-01.1 Implementation of Workforce Development Services Under the Opioid Emergency Recovery Grant
7. ODJFS WIOAPL 15-02 Adult and Dislocated Worker Eligibility
8. ODJFS WIOAPL 15-08.1 Career Services for Adults and Dislocated Workers
9. ODJFS WIOAPL 15-11.1 Use of Individual Training Accounts
10. Area 2 Policy Letter C-12 Supportive Services