

When must participants exit the Dislocated Worker and WIOA Adult programs?

Answer: Program exits must occur after the participant has not received a service (other than follow-up services) for 90 consecutive days. The exit date must be retroactively set back to that last date of service. At least one activity end date must be the same date as the Exit Date.

When must the “Employed, Pending Exit” or the “Pending Exit, Other” activities in Workforce One (WF1) be opened?

Answer: Immediately after the participant informs their case manager, they are no longer in need of program services (in accordance with the Data Entry Timeliness policy). This usually occurs after the participant obtains employment, achieves their employment goal, decides to retire, moves from the area, or simply wants to withdraw from the program. Selecting one or the other should be a local area procedure. Typically, the “Employed, Pending Exit” activity is used when the participant is exiting to employment and the “Pending Exit, Other” activity is commonly used when a participant exits for other reasons.

Required Workforce One (WF1) Data Entry

1. Open the “Employed, Pending Exit” or “Pending Exit, Other” activity in the participant’s WF1 record
 - The start date for this activity must be the date the case manager received the participant’s information that no further services were needed, the case manager informed the participant of their eligibility for Follow-up Services, and/or the most recent date services (other than Follow-up Services) were provided to the participant depending on the participants scenario
 - Use the funding stream that financially supported the participant’s most recent activity (service) as the funding source supporting this activity meant to countdown days to program exit
 - Close all other activities that are currently open on the case with the same date used as the start date for the activity meant to countdown days to exit
2. If your participant receives a service (not a Follow-up Service) after the “Employed, Pending Exit” or “Pending Exit, Other” activity is already opened but before the 90 day countdown has expired, it means the participant has a new last date of service (see below for examples of services that would or would not restart the 90 day countdown)
 - Edit the start date of the activity meant to countdown the days to program exit by changing the start date to the new last date of service. This will restart the clock
 - Case note the service provided and/or capture the service details in the proper tab of the participant’s WF1 case record. i.e. support service tab

Automatic Tickler: On the 85th day following the start date of an opened pending exit activity the case manager will receive a tickler alerting them the case is nearing the 90 days of no service

Reminder: DEED does not require 30-day communication between the case manager and participant after the “Employed, Pending Exit” or “Pending Exit, Other” activity is on the case. (Please continue to follow your local area policies in respect to live contact and follow up procedures.)

3. After the case has gone 90 days without receiving a service, exit the participant from the program. The exit date **MUST** be retroactive back to the last date of service. There cannot be any gap between the last date of service and the Exit Date.

Example: If the pending exit activity’s start date is 04/02/2021 and no other services were provided through 07/01/2021 then...

- On 07/01/2021, the individual is no longer considered a participant and must be exited from the program
- 04/02/2021 must be the pending exit activity’s end date
- 04/02/2021 must be the Program Exit Date

If all three checkmarks below are the same date, you’ve done it correctly

- ✓ The Start Date of the “Employed, Pending Exit” or “Pending Exit, Other” activity
- ✓ The End Date of the “Employed, Pending Exit” or “Pending Exit, Other” activity
- ✓ The participant’s Exit Date

How to determine if a service restarts the countdown to exit

Examples of services that will restart the 90-day countdown

- Training Service
- Support Service
- Any other direct services that could not be provided to the participant prior to them enrolling in the program.

Examples of Follow-up Services that won’t restart the 90-day countdown

- Counseling about the workplace
- Peer support groups
- Assistance with work-related problems that may arise
- Information about additional educational opportunities
- Referral to supportive services available in the community
- Any service an individual can receive through universal services and/or resource area assistance

Frequently Asked Questions

What is the reasoning behind the employed, pending exit or pending exit, other activities and holding a client open for those 90 days?

Answer: In law, a participant is still a participant until they have not received a service in 90 days. The last day of service cannot be determined until at least 90 days have elapsed since the participant last received services; services do not include self-service, information-only services, or follow-up services. This can be found in the WIOA Performance Accountability Definitions located here:

<https://www.dol.gov/agencies/eta/performance/definitions>.

Since program staff across the state of Minnesota do not have access to all databases for all WIOA Titles, we must apply this rule on a program level. DEED program administrators, state monitors, federal monitors, local area managers, and case managers need to be able to run reports and be able to determine this rule is being followed. The easiest way to track or report on something happening on a case is by looking at activities entered on the participant's WF1 case record. Since activities entered on the case record are meant to track all services the participant received, is receiving, or is scheduled to receive it makes sense to track this rule through a specific type of activity. Since the pending exit activities track the length of time of no service, all other activities must be closed at the time the pending exit activity is opened. If other activities are still open at the time these activities are on the case, it wouldn't make sense (flags an error/need for technical assistance) because you can't start the "no service for 90 days" countdown when the participant is still receiving services. The nice thing is the case manager does not need to maintain communication with the participant after this activity is on the case and these countdown activities have an automatic tickler to remind the case manager that the 90-day window is approaching. This means, once the case manager opens the activity, they can move on to other work knowing when the time comes, they will be reminded.

On this topic... When it comes to non-compliant cases, mainly participants who are not complying with communication requirements with their case manager, this activity cannot be used to determine the last date of service because if the participant is not complying with communication requirements, then they are not acknowledging receipt of services provided. If there is no receipt for service (live contact acknowledgement from the participant that the service was received) then they have not received a service. (This was a federal finding. The DOL view this as playing the performance game by waiting until the non-compliant participant shows up in wage detail to ensure a positive outcome. Some providers were found to be holding on to dead cases, in some cases for years, before exiting them.) In these cases, running an Advanced Search report on cases without live contact case notes in 90 days would be the best way to determine what date should be used as the exit date out of the program. More information on this can be found in the WIOA Adult and Dislocated Worker Exit Policy located here

<https://apps.deed.state.mn.us/ddp/PolicyDetail.aspx?pol=520> .

If a client does receive a support or training service in that 90-day window, do any other activities need to be reopened?

Answer: If the participant returns to the case manager within the 90-day window, the case manager should first work to justify the need for that service before approving it (like normal). If the case manager approves the service, the next step would be to determine if that service is tracked through WF1 activities or through the Support Service tab of their WF1 record. They should also determine the length of time that service will take place.

My recommendation would be to do the following...

- If the approved service is to attend training, a training type activity should be opened on the case (like normal procedure) and the countdown activity should be deleted. A case note should be entered like normal procedure when training is approved. Within that case note they should make sure to note that the countdown activity was on the case until XX/XX/XXXX, which will explain why there were not communication case notes during the timeframe that activity was on the case.
- If the approved service is a one-time support service, the support service should be captured within the Support Service tab of the case record and the countdown activity's start date should be edited to reflect the new date of last service. A case note should be entered on the approved support service. Within that case note they should make sure to note that the start date of the countdown activity was updated with the new date of last service from XX/XX/XXXX, to XX/XX/XXXX, which will explain why there were not communication case notes during the timeframe that activity was originally dated.

If the participant is in non-compliance and no live contact has been made for 90 days, we cannot use the pending exit, other; we just need to close them with Cannot Locate?

- Answer: Yes, the case should be exited at that point but there are things to consider in order to show all efforts were made and to inform other program staff connected to the case.
- There should be at least 3 case notes entered over those 90 days showing the case manager attempted communication with the participant. It is best if those case notes show different types of communication were attempted (phone call, email, letter mailed through postal service, etc.) just in case the participant's phone was disconnected, internet service isn't working, or they possibly moved, etc.).
- If the participant is also receiving TAA services, the TAA unit must be alerted to the non-compliance. If the case is connected to TAA, TAA rule says TAA staff must mail a letter of non-compliance with directions on what the participant must do by a certain date or they will be forfeiting TAA/TRA/DW benefits. Once the deadline stated in the TAA non-compliance letter expires, TAA will terminate the TAA side of the record and alert the DW case manager that the case is ready to exit.
- Exit reasons should be in the perspective of the participant if possible. Usually in non-compliant cases, "Cannot Locate" is the reason to use since the participant is not communicating their perspective. If the participant responds by saying they don't want assistance from the program anymore, "Refused to Continue" would be the best choice. If they respond by saying they've chosen to retire, "Retirement" would be best. If you have an alternate contact, you can try connecting with them for information... If they tell you the participant has died, you'd use "Death", if they are receiving medical treatment or have been institutionalized, you'd use "Medical Treatment" or "Institutionalized", if they were a Reservist Called to Activity Duty you'd use that exit reason.

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