

**Nevada Department of Employment, Training and Rehabilitation
Employment Security Division
Workforce Programs**

**Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)**

Policy Number: 5.10

Originating Office: Department of Employment, Training and Rehabilitation (DETR);
Workforce Programs

Subject: WIOA Title I Paperless/Electronic Participant Records Policy

Issued: Approved Governor’s Workforce Development Board (GWDB) Executive Committee
July 19, 2023; Ratified by GWDB August 16, 2023

Purpose: To provide guidance for uniform, paperless/electronic documentation of participant records and include instruction for the collection, dissemination, storage, and protection of information contained within EmployNV. This guidance includes naming conventions for participant documents uploaded into the system of record, adding and removing of participant documents to the system, standards for case note quality, and timely data entry requirements.

State Imposed Requirements: This directive may contain some state-imposed requirements. These requirements are printed in ***bold, italicized*** type.

Authorities/References: Workforce Innovation and Opportunity Act (P.L. 113-128), Training and Employment Guidance Letter (TEGL) 10-16 Change 1, TEGL 39-11, TEGL 7-18, TEGL 23-19; [Paperwork Reduction Act of 1995](#); [Government Paperwork Elimination Act of 1998](#); [E-Government Act of 2002](#); Nevada SCPs

ACTION REQUIRED: Upon issuance bring this guidance to the attention of all WIOA service providers, LWDB Board members and any other concerned parties. EmployNV is the “System of Record” with regard to Federal reporting for local WIOA Title I programs (Youth, Adult, and Dislocated Worker), Title III Wagner-Peyser (WP), Trade Adjustment Assistance (TAA) and other USDOL-ETA grant-funded programs in Nevada, in addition to state funded programs. Currently, EmployNV is used to capture information on enrollment, service delivery, and performance data. The required documentation used to verify program eligibility and support service provision must

be maintained in EmployNV. Any Local Workforce Development Boards (LWDBs) policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background:

Section 185 of the WIOA requires recipients of Title I funds to keep records that are sufficient to prepare reports on program performance and outcomes and permit the tracking of expenditures to adequately ensure that funds have not been spent unlawfully. This guidance applies to electronic file storage and documentation imaging standards in the administration of WIOA Title I programs and other federally funded grant and state funded programs. This guidance originates from multiple regulations related to government agencies' transition from paper to digital files. Among these are:

- E-Government Act of 2002
- Government Paperwork Elimination Act of 1998
- Paperwork Reduction Act of 1995

Policy and Procedure:

Electronic Case Files

Title I Service Providers must record and document activities for all participants enrolled in WIOA Title I (Youth, Adult, and Dislocated Worker) programs, Title III Wagner-Peyser (WP), Trade Adjustment Assistance (TAA) and applicable discretionary grant programs in EmployNV to ensure compliance with federal and state statutes, regulations, and policies.

EmployNV eliminates the need for paper applications for participant registration and ensures that the LWDBs are using identical criteria to determine participant eligibility. In order to case manage participants the LWDBs and the EmployNV Career Hubs must use EmployNV to:

- Create participant applications
- Record program services
- Upload supporting documentation to verify eligibility¹
- Provide case notes regarding interactions with participants to include information that addresses the 'who', 'what', 'where', 'when', 'why', and 'how' of service delivery.

LWDBs and EmployNV Career Hubs must establish procedures to ensure that the use of paperwork is reduced to a minimum². The use of electronic records:

- Eliminates the need for storage areas and storage costs associated with paper files
- Saves supply costs and decreases paper waste
- Provides for an easily accessible, single-point of access for file review
- Reduces staff time accessing hard copy documentation

¹ Workforce Services Guidance - American Job Center - Verifying Identity and Employment Eligibility - WIOA

² WIOA Section 308(c)(2)(F)(ii)

DETR/ESD/Workforce Programs

WIOA State Compliance Policies

SCP 5.10 WIOA Title I Paperless/Electronic Participant Records Policy

August 2023

Page 2 of 12

- Ensures more secure storage of sensitive information
- Eliminates lost or misfiled paper documents
- Increases the consistency of file documentation
- Ensures complete verification for program eligibility

The electronic records will be made available to any staff from the USDOL-ETA, State auditor, or DETR program monitor staff who requires access to carry out their official duties. Information will be made available by granting access to EmployNV after completing the system access form.

Fiscal-Related Documentation

If the Fiscal Agent to the LWDB maintains records of participant related payments, it is not required to upload invoicing documentation into EmployNV. Any requirement to upload fiscal-related documentation would be at the LWDBs discretion; however, EmployNV is not intended to be the system of record for fiscal documentation.

All participant-related payments must be entered on the related voucher and notate the invoice number or other specific identifier in EmployNV Case Notes. Copies of invoices and/or receipts must be uploaded to the participants file of record. This allows for ease of reference during monitoring and review.

Timely Entry of Data and Documentation into EmployNV

A. Timely Data Entry into EmployNV

All applicants must be processed immediately upon a customer receiving services. However, there are allowable exceptions-such as Rapid Response. Delays in data entry can adversely affect the quarterly and annual performance of the state and the local workforce areas; and result in inaccurate federal reports. To address the impact of delayed data entry, all transactions (eligibility, receipt of services, outcomes, exit, and contact with participants) must be entered into EmployNV within 14 business days from the completion of the process. For example, once the customer has been determined eligible and has received their first service, the participation information must be entered into EmployNV within 14 business days. All eligibility intake information and documentation must be uploaded into EmployNV upon receipt. This also applies to the exiting of participants once they have completed all programs and are no longer receiving services.

Performance Indicators are based on the exit outcomes of these individuals. It is imperative that accurate information is entered into EmployNV in a timely manner in order to generate appropriate reports at the State and Federal levels, (including documentation to support credentials or employment attainment). LWDB compliance with the 14-business day rule

will be reviewed by the WIOA Compliance Monitors and instances of noncompliance will be included in the monitoring report as a finding.

B. Naming Convention for Data Entry into EmployNV:

Service providers are expected to enter all verification documents, upon receipt, into EmployNV for all active and exited participants. Please make sure to use the naming convention in Attachment 1: WIOA Title I EmployNV Document Naming Conventions.

Documentation Uploads

All documentation for program participants shall be uploaded into EmployNV to create electronic records. Document uploads shall be completed within the 14-business day timely data entry requirement. Documents may also be uploaded from the paper files of current active participants. Title I Service Provider staff will follow “*Add a Document*” process as stated in the WIOA EmployNV Guide. Staff shall also “tag” uploaded documents with keywords, which will allow documents to be found using keyword search. To ensure consistency, local area staff shall follow the naming/tagging conventions outlined in Attachment 1: WIOA Title I EmployNV Document Naming Conventions.

Case Notes

Case notes add context to elements in the electronic case file that are not clearly evidenced, such as participant factors affecting eligibility, important details about services provided to clients, and to inform the reader about the client’s progress, lack of progress and/or obstacles associated with the services and/or referrals provided. Case Notes compliment activity/service entries made in EmployNV, to provide further explanations of services provided. Therefore, all case notes must be entered in EmployNV. Case Notes do not take the place of entering data in the appropriate sections of EmployNV. For example, a case manager should not enter service information (e.g., service codes, start and end dates) in a Case Note rather than create an Activities/ Enrollments/ Services entry. Performance related information should be entered in the appropriate sections, such as Activities/ Enrollments/ Services, Measurable Skills Gains, Credential Attainment, Employment, and/or Follow-up sections. Case Notes are a planning tool and a source of documentation and information that can be used by case managers, supervisors, and monitors. WIOA files can be chosen for review by multiple entities such as the USDOL-ETA, DETR Auditor, DETR monitoring staff, GWDB, LWDBs, and other organizations; therefore, accuracy and completeness in case notes are very important. Case Notes should tell the “who, what, where, when, why, and how” of the customer’s needs and services. Case Notes describe the actions taken and the reasons behind those actions, along with the expected results. Consider the use of case notes as the means to tell a factual story of the client’s participation in the program. Although, clients cannot access the Case Notes section, no opinions or comments of the case manager should

be included. Anyone with approved access should be able to pick up the file and follow the story of what is happening with the client.

Records Correction and Deleting Documents

Records in EmployNV that contain errors must be corrected to ensure accurate reporting to USDOL-ETA. Requests for data correction shall first be submitted from Title I providers to LWDBs for review. Any corrections that cannot be completed by the LWDBs should be communicated to DETR for review via DETR INFO (DETRWIOA@detr.nv.gov). DETR Auto Team shall review the validity of the correction and communicate the appropriate action or outcome to LWDBs. Only under limited circumstances will staff be allowed to delete documents from a participant's electronic file. The process of deleting a document will be performed by DETR Auto Team staff. LWDBs shall submit a request for the deletion along with the reason for the deletion to DETR INFO. DETR Auto Team reviews requests for deletion of documents and if determined appropriate will perform the deletion. The WIOA Title I Administrator will work with the vendor of EmployNV software to ensure that participant documents that are stored in the system are appropriately deleted after the required retention period for the documents has expired. This guideline applies to both paper and digital records. Although digital files are intended to replace paper documents, records must be maintained in a manner that enables staff to produce a tangible, paper copy immediately upon request. Guidance on the required maintenance of records by recipients is provided in 29 CFR § 38.43.

Confidentiality of Data or Information and Required Release Forms

Data or information acquired by an agency under a confidentiality agreement, to be used exclusively for statistical purposes, shall not be disclosed by an agency in identifiable form for any use other than an exclusively statistical purpose. The use of this information is prohibited except with the informed consent of the respondent (Public Law 107-347 Title V Section 512[b][1]). All providers will have a release of information form signed and dated by the participant and the case manager. The form shall state that the participant's information may be used for reporting purposes because of federal regulations associated with the benefit of federal funds and that the participant's personal information will remain confidential. The release form will be uploaded into the participant file in EmployNV to validate that the participant agrees to the release of information for reporting purposes. The standardized form will also be made available by the Title I Service Provider staff and may be used as a stand-alone form or incorporated into other release forms used by the Title I service provider staff and/or LWDBs.

Personal Identifiable Information (PII)

PII is defined as either protective or non-sensitive. Protective PII is information that is sensitive and typically includes information such as a social-security number, date of birth or bank account

numbers. Non-sensitive information is personal information that, when released by itself, should not be harmful to the individual. Non-sensitive information typically includes first and last name, email addresses, and business address. The handling of PII should be done with caution and follow federal guidance. (TEGL 39-11)

A. Legal Status of Electronic Documents

Electronic records submitted or maintained in accordance with procedures developed under this title, or electronic signatures or other forms of electronic authentication used in accordance with such procedures, shall not be denied legal effect, validity, or enforceability because such records are in electronic form.

B. Medical/Disability Records

Medical and disability related information, also known as protected health information (PHI) under the Health Insurance Portability and Accountability Act (HIPAA) of 1996 must be kept confidential and separate from EmployNV electronic case record. Such information shall be kept in a paper file in a secure, locked location. A Case Note in EmployNV shall contain a generic explanation of the information, how it is related to eligibility, employment, and/or training opportunities, and identify the secure location of the information. (i.e., “Participant wants to be a mechanic, but needs to pursue other 5 employment or training. See confidential file.” or “Individual meets local adult eligibility priority of service group. See confidential file.”)

ATTACHMENT I:

DOCUMENT TAG LIST

SECTION 1 (A/ DW & YOUTH):	DOCUMENT TAGS:
EmployNV Application Eligibility & Verification Documents • I-9 List A Documents • I-9 List B & C Documents • Selective Service Documents • Proof of Residence Documents • Military Documents • Educational Level Documents • Public Assistance Documents • Self-Attestation (If Applicable) Dislocated Worker (DW) Documents • DW Affidavit • UI Docs. • Layoff Letter • Separation Notice • News Paper Article (Plant Closure) • Refer to DW Policy for additional docs. Income Documentation • Income Worksheet • Paystubs • Public Assistance Documents • UI • Tax Returns • Refer to policy for additional docs. Enrollment Forms • Release of Information • Equal Opportunity • Nepotism • Notice of Rights	Last, First WIOA App. (Participation Date) Last, First (Driver’s License, State ID, Birth Certificate, SSC, U.S. Passport, Permanent Resident Card, Selective Service, Public Assistance Letter, Social Services Letter, Proof of Residence, School Transcripts, DD 214, etc.) • Jacob, John State ID & SSC • Gonzales, Aaron Selective Service • Johnson, Sarah Public Assistance Letter • Smith, Ashley DD 214 Last, First DW Docs. Last, First Income Worksheet and Docs. Last, First Enrollment Forms (Date Completed)
SECTION 2 (A/DW):	DOCUMENT TAGS:
Initial Assessment Individual Employment Plan (IEP) Comprehensive Assessments • Traitify • Workkeys • CASAS/TABE • Others	Last, First IA (Date Completed) Last, First IEP (Date Completed) Last, First [Name of Assessment] (Date Completed) (Amount) • Example: Smith, Karen WorkKeys Assessment 7/1/22 \$36.00

○ Proof of Payment (if applicable)	
SECTION 2 (YOUTH):	DOCUMENT TAGS:
Objective Assessment (OA) Individual Service Strategy (ISS) Comprehensive Assessments • Traitify • WorkKeys • CASAS/TABE • Others ○ Proof of Payment (if applicable)	Last, First OA (Date Completed) Last, First ISS (Date Completed) Last, First [Name of Assessment] (Date Completed) • Examples: Smith, Karen WorkKeys Assessment 7/1/22 \$36.00
SECTION 3 (A/DW):	DOCUMENT TAGS:
Job Search & Placement Assistance Short-Term Pre-vocational Skills (SPV) • Course Documents • Attendance/Sign-in Sheets • Certificate of Completion • Proof of Payment (if applicable) Financial Literacy (FL) • Course Docs. • Attendance • Certificate • Upload all docs. together Transitional Jobs (TJ) • Transitional Jobs Documents ○ Pre-Award Documents ○ Agreement ○ Training Plan/Skills Gap Analysis • Progress Reports • Time Sheets • Paychecks	Last, First Job Search Logs (Date Received/Reviewed) Last, First SPV [Name of Workshop] (Dates Attended/Completed) (Amount) • Example: Jacobs, John Resume Workshop Docs (9/5/22 – 9/9/22) • Example: Jacobs, John Resume Workshop Payment 1 9/5/22 – 9/9/22 \$100.00 • Example: Jacobs, John Resume Workshop Payment 2 9/5/22 – 9/9/22 \$100.00 Last, First FL Docs. (Dates Attended/Completed) Last, First TJ Docs (Date Completed) Last, First TJ Progress and Attendance Reports (Month/Year) Last, First TJ Paycheck/Timesheet (Amount) (Pay Period) • Martin, R TJ paycheck/timesheet \$335.00 PPE 7-24-2020
SECTION 3 (YOUTH):	DOCUMENT TAGS:
Tutoring/Study Skills • Attendance Records • Progress Reports • Sign in Sheets • Proof of Payment (if applicable) Alternative Secondary School Documentation	Last, First [Name of Activity] Docs (Dates Attended/Completed) (Amount) • Example: Gonzalez, Juan Tutoring Docs (4/3/22 – 4/5/22) • Example: Gonzalez, Juan Tutoring Payment (4/3/22 – 4/5/22) \$150.00 Last, First [Name of Activity] Docs (Dates Attended/Completed)

	- Smith, W DMV physical for CDL training, 2-1-2020 \$216.50 Driver's License/State ID's - Smith, W Driver's License new or renewal fee, 2-1-2020 \$43.75 - Smith, W state id new or renewal fee, 2-1-2020 \$23.75 Drug Testing - Robinson, T drug testing fee, 3-1-2020 Employment Related Tools/Supplies - Ford, K tools, 10-1-\$200.00 - Ford, K work boots, 10-1-2020 \$100.00 - Ford, K work clothes, 10-1-2020 \$150.00 - Ford, K uniform, 10-1-2020 \$200.00 Eyeglasses - James, L eye exam, 5-1-2020 \$80.00 - James, J prescription eyeglasses, 5-1-2020 \$200.00 Gas Cards/Vouchers - William, J gas card, 8-1-2020 \$100.00 - William, J gas voucher, 8-1-2020 \$100.00 Haircuts - James, L haircut assistance, 5-1-2020 \$45.00 Minor Car Repair - James, L car repair assistance, 5-1-2020 \$100.00 Personal Protection Equipment - James, L PPE assistance, 5-1-2020 \$50.00 Rental Assistance (No Late Fees) - Peterson, J rental assistance, 6-1-2020 \$100.00 TB Testing - Robinson, T Tb testing fee, 3-1-2020 \$65.00 Testing/Certificates Fees - Robinson, T testing fee 3-1-2020 \$300.00 - Robinson, T certification fee, 3-1-2020 \$200.00 Training Related Clothing/Shoes/Tools - Hall, C scrubs, 11-1-2020 \$150.00 - Hall, C work shoes, 11-1-2020 \$75.00 - Hall, C work tools, 11-1-2020 \$235.00 Utilities (No Late Fees) - Peterson, J Nevada Power assistance, 6-1-2020 \$100.00 - Peterson, J Southwest Gas assistance, 6-1-2020 \$150.00 - Peterson, J Phone assistance, 6-1-2020 80.00 Vaccinations For Training/Employment - Robinson, T vaccination for employment, 3-1-2020 \$50.00 - Robinson, T vaccination for training, 3-1-2020 \$50.00 Work Cards - Mora, S TAM card, 8-1-2020 \$20.00 - Mora, S Health card, 8-1-2020 \$25.00
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	- Mora, S Guard card, 8-1-2020 \$85.00 Other Supportive - Scott, F Dependent Care, 7-1-2020 \$100.00 Youth Incentives - Jackson, J incentive-workshops completed 6-1-2020 \$100.00 - Jackson, J incentive-employment gained 6-1-2020 \$150.00 - Jackson, J incentive-HS diploma obtained 6-1-2020 \$100.00 - Jackson, J incentive-enrolled in post-secondary 6-1-2020 \$100.00
SECTION 5 (A/DW & YOUTH):	DOCUMENT TAGS:
Occupational Skills Training - OST Documents - ITA - OST Acknowledgement Form - In-demand Occupation Verification (i.e. O*NET, NAICS, etc.) - Training Proposal - ETPL Printout - Financial Aid Award Letter (if applicable) - OST Progress Report - OST Certificates - OST License - OST Invoices & Checks On-the-job Training - OJT Documents: - OJT Acknowledgement Form - OJT Obligation Form - OJT Pre-award Assessment - OJT Master Contract - OJT Skill Gap Analysis - OJT Training Plan - OJT Evaluation Form - OJT Payments - Time Sheet - Paychecks Entrepreneurial Skills Training - Attendance/Sign-in Sheet(s) - Certificate of Completion (if applicable)	Last, First OST Documents (Training Start Date) Last, First OST Progress and Attendance Report (Month/Year) Last, First OST Certificate (Date Received) Last, First OST License (Date Received) Last, First OST 1st Payment (Amount) (Date Paid) Last, First OST 2nd Payment (Amount) (Date Paid) Last, First OST Final Payment (Amount) (Date Paid) Last, First OJT Documents (Start Date) Last, First OJT Progress Report (Month/Year) Last, First Paycheck/Timesheet (Amount) (Pay Period) - Martin, R OJT paycheck/timesheet \$400.00 PP 7/1-7/10/2020 Last, First Entrepreneurial Skills Training Doc (Dates Attended/Completed) - Example: Williams, Malik Entrepreneurial Skills Training (3/2/23)

• Proof of Payment (if applicable) Pre-apprenticeship • Attendance/Sign-in Sheet(s) • Certificate of Completion (if applicable) • Proof of Payment (if applicable) Registered Apprenticeship (RA) Training • Attendance/Sign-in Sheet(s) • Certificate of Completion (if applicable) • Proof of Payment (if applicable) Internship or Work Experience • WEX/Internship Documents ○ Pre-Award Documents/ Worksite Evaluation ○ Agreement ○ Training Plan • Progress Reports • Time Sheets • Copies of Paychecks	Last, First Entrepreneurial Skills Training Payment # (Dates Attended/Completed) (Amount) • Example: Williams, Malik Entrepreneurial Skills Training Payment 1 (3/2/21) \$75.00 Last, First Pre-Apprenticeship Documents (Start Date/Dates Attended/Completed) Last, First Pre-Apprenticeship Payment (Start Date/Dates Attended/Completed) (Amount) Last, First RA Documents (Start Date/Dates Attended/Completed) Last, First RA Progress and Attendance Report (Month/Year) Last, First RA Payment (Dates/Pay Period) (Amount) Last, First WEX/Internship Docs. Last, First WEX Progress and Attendance Reports (Month/Year) Last, First WEX Paycheck/Timesheet (Amount) (Pay Period) • Martin, R WEX paycheck/timesheet \$335.00 PPE 7-24-2020
Section 6 (A/DW & Youth):	Document Tags:
Outcome Form Employment & Earnings Verification Diplomas Certificates Credentials/License Post-Secondary Education Measurable Skills Gain Follow-up Services	Last, First Outcome Form (Date Completed) Last, First (Company Name) Employment Verification (Date Completed) Last, First (Company Name) Paystub (Date Obtained) Last, First (HS/College) Diploma (Date Received) Last, First (Course name) Certificate (Date Received) Last, First (HS/College/Training Course) Transcript (Date Received) Last, First [Name of License] (Date Received) Last, First Post-Secondary Education (Transcript/Schedule) (Date Received) Last, First (i.e. Diploma/Certificate/Transcript Date) (Date Received) • Example: Jones, Kim HS Diploma (6/1990) (See above examples for follow-up services) • Example: Last, First Follow-Up Job Search Assistance