



EAST TENNESSEE LOCAL WORKFORCE  
DEVELOPMENT AREA  
WORKFORCE INNOVATION AND  
OPPORTUNITY ACT  
**POLICY MANUAL**

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Issued: 9 April 2019  
Effective: immediately

**SUBJECT: ELECTRONIC CASE FILES WIOA TITLE I**

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**POLICY STATEMENT:** The Local Workforce Board for the East Tennessee Local Workforce Area directs the Board staff to monitor and report on a quarterly basis WIOA Title I contractor’s adherence to the guidance within this policy.

**INTRODUCTION:** This guidance originates from multiple regulations related to government agencies’ transition from paper to electronic files. Among these are the: *E-Government Act of 2002, Government paperwork Elimination Act of 1998, Paperwork Reduction Act of 1995, State of Tennessee’s Paperwork Reduction and Simplification Act of 1976, and Tennessee Electronic Records Policy*. Section 185 of the Workforce Innovation and Opportunity Act (WIOA) requires recipients of Title I funds to keep records that are sufficient to prepare reports and permit tracing 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 the following Federal programs: WIOA, Wagner-Peyser (WP), Trade Adjustment Assistance (TAA), and related assistance programs.

**POLICY:** Sub-recipients of funds shall keep records that are sufficient to permit the preparation of reports and to permit the tracing of funds to a level of expenditure adequate to ensure that the funds have not been spent on non-allowable activities (WIOA § 185(a)(1)). The career service provider contractor shall utilize Jobs4TN electronic record management system to maintain all participant records including creating participant applications; recording provided services; recording interactions with participants through the use of case notes; uploading supporting documentation to verify eligibility, assessments, activities, and participation; credentialing; noting measurable skills gains; verifying employment; listing exit/outcomes; detailing follow-up and related activities; and uploading supporting documentation to verify eligibility for expenditure of program funds. These activities shall be accomplished not only from the outset of the contract between the Board and the career service provider but also in a regular and timely manner—within 3 business days of any activity affecting a participant’s program participation—a period that is consistent with the expectations of the state workforce board policies. All documents, with the exception of medical records containing protected health information (PHI) under the HIPAA Act of 1996, are required to be uploaded into VOS to validate data entered. Medical records should be maintained in a secure area and in paper format.

No images may be deleted from VOS without permission granted by the Tennessee Department of Labor and Workforce Development (TDLWD) Policy and Compliance Unit. All records, electronic and paper, necessary to prepare reports and permit tracing of funds, must be maintained for five (5) years per TDLWD. Data or information acquired for statistical purposes shall not be disclosed in identifiable form for any other use, except with the informed consent of the respondent. Release forms, including release of educational records in compliance with the Family Educational Rights and Privacy Act, should be signed and dated by the participant and case manager and uploaded into VOS. In accordance with Public Law 105 -277 Title XVII Section 1707, electronic records submitted or maintained in accordance with procedures developed under this title, or electronic signatures or other forms of electronic authentication, shall not be denied legal effect, validity, or enforceability because such records are in electronic form.

**Reference:** 20 CFR 3 7.39; WIOA Section 308(c)(2)(F)(ii)

**Related TDLWD Policy:** Electronic Case Files Guidance (pages 3 and 4)