

**Workforce Development System  
Program Guidance Letter #21-02  
November 30, 2021**

**To:** Workforce Development Community

**SUBJECT:** Guidance for Local Workforce Development Boards (LWDBs) on  
Electronic Devices for Participants

**ACTION**

LWDBs may purchase and distribute electronic devices such as laptops, tablets, and smart phones for employment and training program participants using Workforce Innovation and Opportunity Act (WIOA) Title I funds, as well as other federal and state funds received from the New York State Department of Labor (NYSDOL), or work with training providers to include the cost of these items in a published course tuition rate.

**Note:** Not all electronic devices are priced at levels that trigger federal and state equipment thresholds. For federal funds issued via the Notice of Obligational Authority (NOA) process, and per Technical Advisory (TA) #[17-03](#): Renovation Costs and Equipment Acquisitions Utilizing Workforce Innovation and Opportunity Act (WIOA) Funds, the equipment threshold is \$5,000. For state funds issued via NOA, and for state and federally funded New York State (NYS) grant contract agreements, per the NYS [Master Grant Terms](#), the equipment threshold is \$1,000. Many electronic devices commonly used for training and remote work fall below these thresholds and thus are considered supplies rather than equipment. Devices falling under the federal or state equipment threshold do not require pre-approval from NYSDOL.

LWDBs purchasing and distributing electronic devices must adhere to the following guidance, and update their local Supportive Services policy as necessary.

- Since public funds are limited, LWDBs must establish funding eligibility criteria consistent with WIOA Priority of Service to help ensure all qualifying participants can receive electronic devices. Such criteria can be modified over time.
- These types of electronic devices have a useful life longer than one year and therefore LWDBs must document the long-term need for the item to demonstrate their benefit to programs, including, but not limited to:
  - Training longer than six (6) months (or another reasonable timeframe based on local funding availability);
  - Participation in on-the-job training (OJT); and

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- Participation in a WIOA Title I Youth, Adult or Dislocated Worker work experience program.
- Electronic devices must be provided to participants at the start of training and services for the purpose of providing the participant with access or additional assistance during the training or related to the services, and not at the end of the training or services as a completion award or a way to boost spending.
- Participants must attest they do not already own the requested electronic devices, or that they only possess old inadequate electronic devices and do not have sufficient personal funds to purchase these items.
- LWDBs must first confirm that other funding streams, such as Temporary Assistance for Needy Families (TANF), cannot pay for these items before using WIOA Title I funding.
- Local funding caps (for example \$300 – \$500) must be stated in the LWDB’s Supportive Services policy. The amount of the cap is determined based on a survey and cost comparison of prices for items available with the needed specifications and/or applications.
- LWDBs must follow their own purchase policy for the electronic devices in compliance with the [Uniform Guidance](#). LWDBs must also perform a cost comparison analysis to ensure the cost is reasonable.
- LWDBs can reimburse participants for purchasing an electronic device of their own choice, but only up to the amount of the local cap.
- Costs for these items, if funded by WIOA, must be included in the annual WIOA budget approved by the LWDB, or a LWDB-approved budget modification.
- Electronic devices purchased by LWDBs must be issued to participants no later than six (6) months after purchase, and not kept in long-term storage.
- Temporary loaning of such items to participants is recommended so multiple participants can benefit from one purchase.
- Appropriate inventory tracking of electronic devices loaned or given to participants is required, including participant signed agreements/receipts.
- LWDBs can emulate and adapt other State agency and public school loan policies, as well as loan agreements that address issues including, but not limited to, periodic service and maintenance of the electronic devices(s) and participant responsibilities for proper care. Examples include:
  - <https://www.southcolonieschools.org/chromebook-faq/>;
  - [https://ocfs.ny.gov/main/cb/equipment\\_loan.asp](https://ocfs.ny.gov/main/cb/equipment_loan.asp); and
  - <https://qhsls.org/wp-content/uploads/2020/03/QHSLs-Equipment-Loan-Agreement.pdf>.
- Due to high drop-out rates, the LWDB’s Supportive Services policy must also address the recovery of electronic devices(s) upon a participant’s early

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withdrawal from training or services. Reasonable efforts to recover such items must be documented.

As an alternative to providing these devices as Supportive Services, LWDBs can work with training providers to include the cost of such items in the Eligible Training Provider List (ETPL) course tuition rate so the training provider distributes the items instead of the LWDB. Inclusion of these items in the ETPL rate can be justified by course requirements that a laptop and/or tablet must be used to participate in the training. When this method is used, the cost of the items would be deducted from the annual Training Budget rather than Supportive Services.

## **INQUIRIES**

Questions regarding this Program Guidance Letter should be sent to [LWDB@labor.ny.gov](mailto:LWDB@labor.ny.gov).

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