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## STATE INSTRUCTION NUMBER 22-03

**To:** Local Workforce Area Signatory Officials  
Local Workforce Area Board Chairs  
Local Workforce Area Administrators  
DEW Area Directors  
DEW Regional Managers

**Subject:** WOTC Conditional Certifications

**Issuance Date:** June 26, 2023

**Effective Date:** June 26, 2023

**Purpose:** This state instruction notifies SC Works center staff of the Work Opportunity Tax Credit (WOTC) Conditional Certifications initiatives and implementation and provides instructions on how center staff may assist individuals in possession of a WOTC Conditional Certification.

**Background:** The WOTC is a federal tax credit available to employers who invest in eligible job seekers who have consistently faced barriers to employment. Employers may meet their business needs and claim a tax credit if they hire an individual who is in a WOTC targeted group.

As the state workforce agency, the SC Department of Employment and Workforce (DEW) is responsible for administering WOTC certification procedures. DEW may use WOTC funds to develop working agreements such as Memoranda of Understanding (MOUs) or other formal agreements with state or local partnering agencies in order to expedite verification of targeted group eligibility and issue WOTC Conditional Certifications, where appropriate.

For more information about the WOTC, visit <https://www.dew.sc.gov/work-opportunity-tax-credit>.

**Policy:** DEW has recently begun the implementation of Veteran and Ex-Felon Conditional Certifications through internal and external partnerships. These WOTC Conditional Certifications may be presented to center staff by an individual seeking additional information and/or employment services and additional staff support, as appropriate, including providing information about Federal Bonding.

## VETERANS CONDITIONAL CERTIFICATION

DEW's WOTC department is the authorized administering authority for the Veteran WOTC Conditional Certifications. Qualified veteran participants may be considered for a WOTC Conditional Certification through a prescreening process by Disabled Veterans' Outreach Program (DVOP) center staff based on any one of the following conditions:

- Veteran is receiving Supplemental Nutritional Assistance Program (SNAP) benefits.
- Veteran is entitled to compensation for a service-connected disability AND was discharged or released from active duty within one year of the hire date.
- Veteran is entitled to compensation for a service-connected disability AND has been unemployed for at least six months in the one year prior to the hire date.
- Veteran is unemployed for at least four weeks in the one year prior to the hire date.
- Veteran is unemployed for at least six months in the one year prior to the hire date.

For more information, DVOPs may access the WOTC Desk Aid for veterans' services staff on SCWOS under Staff Online Resources.

## EX-FELON CONDITIONAL CERTIFICATION

The SC Department of Corrections (SCDC) is the authorized issuing authority for the Ex-Felon WOTC Conditional Certifications. Qualified Ex-Felons will receive a WOTC Conditional Certification during their exit process from SCDC custody.

**NOTE:** Neither SCDC nor DEW's WOTC department will provide a copy of the WOTC Conditional Certification to an individual if the WOTC Conditional Certification is lost. Recipients should be advised of this and to maintain their copy of the WOTC Conditional Certification. However, staff may advise individuals that employers of eligible job seekers may seek certification through the normal WOTC employer certification request process. More information is available at <https://www.dew.sc.gov/work-opportunity-tax-credit>.

## STAFF ASSISTANCE AND WOTC CONDITIONAL CERTIFICATIONS

Staff **must**:

- ✓ Provide the same screening and program qualification services as any other individual entering the center.
- ✓ Obtain a participant's permission before engaging an employer to promote the individual's skills or to notify the employer that the participant possesses the Conditional Certification.
- ✓ Provide a Federal Bonding Voucher, if applicable, and leveraging advice to individuals with a WOTC Conditional Certification.

Staff **must not**:

- ✘ Retain a hard copy or upload an electronic copy of the WOTC Conditional Certification into SC Works Online Services (SCWOS).
- ✘ Provide potential employers a copy of the WOTC Conditional Certification. Only the participant may provide the WOTC Conditional Certification to potential employers.
- ✘ Make any guarantees to employers about final certification.

Employer questions about the WOTC Program should be directed to DEW's WOTC Department at [WOTC@dew.sc.gov](mailto:WOTC@dew.sc.gov). Because the WOTC Department does not provide direct services to participants, staff must not direct individuals to this email address.

## FEDERAL BONDING

The federal bonding program provides free fidelity insurance to employers, enabling employers to hire skilled workers who may otherwise be considered "high risk." These workers may include justice-involved individuals, recovering addicts, individuals without work history, individuals with a dishonorable discharge from the military, among others. For more information about the Federal Bonding Program, staff, customers, and employers may visit: <https://dew.sc.gov/federal-bonding-program>.

When issuing a Federal Bonding Voucher, Wagner-Peyser staff must enter Activity Code 114 with a corresponding case note. Staff may access the Federal Bonding Voucher form and the Federal Bonding Desk Aid on SCWOS under Staff Online Resources.

**Action:** Please ensure that all appropriate staff receive and understand this policy.

**Inquiries:** Questions may be directed to Workforce Reporting and Compliance at [WRC@dew.sc.gov](mailto:WRC@dew.sc.gov).

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