

Policy for the determination of eligibility for the Adult and Dislocated Worker Program

I-Introduction

The Workforce Innovation and Opportunity Act (WIOA) is intended to provide individuals with access to the employment opportunities, education, training, and supportive services they need to be successful in the labor market. Adult and dislocated worker clients, in the One-Stop system, will be able to receive the following services;

- Basic Career Services
- Individualized Career Services
- Training Services

Adult and dislocated worker clients receiving self-service or general information services will be enrolled as a Reportable Individual in the applicable program for a Pre-Determination of Eligibility.

II- Legal

Workforce Innovation and Opportunity Act (WIOA) section 3 (2), (15)y (63) section 134 (b) and (c),

Workforce Innovation and Opportunity Act (WIOA) Regulations

Training and Employment Guidance Letter 3-15 issued by the Employment and Training Program under the Federal Department of Labor July 1, 2015.

Training and Employment Guidance Letter # 10-09, issued by the Employment and Training Program under the Federal Department of Labor on November 19th, 2009.

Training and Employment Guidance Letter 19-16 issued by the Employment and Training Program under the Federal Department of Labor on March 1st, 2017.

Implementing Priority of Services for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the US Department of Labor (DOLETA);

Priority of Services for Veterans in Department of Labor Job Training Programs 38 U.S. Code Chapter 42, section 4215.

U.S. Department of Labor (Strategic Plan Fiscal Year 2022-2026)

Public Policy No. WIOA- PP-04 2023 Work Experience Under the Adult, Dislocated Worker, and Youth Programs

Public Policy No. WIOA-PP-02-23 Workforce Innovation and Opportunity Act (WIOA) Title I Adult Program Priority Services (WIOA)

Public Policy No. WIOA-PP-05-2023 Transitional Jobs for Adults and Dislocated Workers

III- General Requirements for Adults and Dislocated Workers

- 1- Be a U.S. citizen, legal permanent resident and/or authorized to work in the United States.
Evidence is required to validate the data in the system and file. Copy of Birth Certificate, Certificate of Citizenship, Passport or Valid Resident Card
- 2- Selective Service Registration
The male customer must register with the U.S. Army Selective Service within thirty (30) days of his eighteenth (18th) birthday. The Selective Service will accept late registrations, but will not accept late registrations after the male has reached his twenty-sixth (26th) birthday. Applies to males born after December 31, 1959.
Evidence on file required: letter or card from selective service acknowledgment letter, Veteran DD-214, telephone verification, electronic verification.

As a footnote, only those who present evidence of the following circumstances will be excluded from this requirement:

- 1- Having been confined in a medical, mental or correctional institution between the ages of 18 and 26;
- 2- A foreign individual who has arrived in the U.S. and its territories after having passed the age of enrollment.
- 3- Authorized Non-Citizen who is authorized to work in U.S. territory

IV- Individuals with barriers to employment

Services provided to adults and dislocated workers under WIOA Title I can be a pathway to the middle class and to maintain and develop skills to remain in the middle class. Across all WIOA titles there is a focus on serving individuals with barriers to employment, defined in WIOA section 3(24) and seeks to ensure access to quality services for these populations. The WIOA Final Rules discuss priority and special populations for the adult and dislocated worker programs at 20 CFR 680.600 to .660.

An individual who meets one or more of the criteria listed below:

- 1- Dislocated homemaker.
- 2- Low-income individuals,
- 3- Individuals with disabilities and/or limitations.
- 4- Individuals aged 55 or older. Ex-offenders.
- 5- Homeless individuals
 - a- Victims of violence against women
 - b- Homeless youth
 - c- Homeless assistance
- 6- Individuals who are English language learners, individuals who have low literacy skills, and individuals who face substantial cultural barriers.
- 7- Eligible migrant and seasonal agricultural workers, (WIOA section 167(i).

- 8- Individuals who have not exhausted their lifetime entitlement under part A of Title IV of the Social Security Act (42 U.S.C.601 et seq.).
- 9- Single parents including unmarried pregnant women. Long-term unemployed individuals.
- 10- Individuals within two years of exhausting TANF benefits.
- 11- Long-term unemployed (27 weeks or more).

IV-Specific Requirements for Adults

- 1- Age- 18 years of age or older
- 2- U.S. citizenship or work permit
- 3- Selective service completion (males)
- 4- Priority of service populations for individualized career services or training.

Priority of service applies only to individualized career or training services, for basic career services must be eligible adults who meet the general requirements.

Section 134(c)(3)(E) provides that with respect to individualized career services and training services, targeted to adults, funded with Title I-B funds, priority will be given to the following:

Priority 1: Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient. These will receive first priority for services provided with Adult program funds.

Priority 2: Non-veteran individuals who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient. Those who are not veterans, or their eligible spouses.

Priority 3: Veterans and eligible spouses who are not included in WIOA priority groups. Who are not low-income or skill deficient.

Priority 4: priority populations established by the governor and/or the Local Labor Development Board.
1) Individuals with disabilities;
2) Individuals involved in the justice system; and
3) Single mothers and fathers.

Priority 5: Other individuals not included in the WIOA priority groups. Adults may be eligible on a case-by-case basis by the handler with management approval. Request for 5th priority eligibility must be submitted in writing and placed in the participant's file.

V. Specific Requirements for Dislocated Workers

The WIOA Dislocated Worker Program funds services to support the reemployment of laid-off workers, especially those affected by facility closures,

mass layoffs or job losses due to natural disasters or military base realignment and closures.

In addition to meeting the general eligibility requirements and participation requirements for individualized career and training services, any individual receiving services funded by the Dislocated Worker Program will be determined eligible based on the following categories:

A person who has been laid off or who has received a notice of layoff with a day's work (four hours or more) is considered a dislocated worker if he/she has been laid off or has received a notice of layoff with a day's work (four hours or more).

Category 1 - Layoff

- (i) Fired (a) or has received notice of layoff, from employment;
- (ii) (I) eligible for or has exhausted Unemployment Insurance benefits;
(II) employed for a sufficient length of time to demonstrate relationship to the labor force (**work history**), but is not eligible for Unemployment Insurance because of insufficient earnings or who has performed services for an employer not covered by the State Unemployment Insurance Law: **and**
- (iii) not likely to return to previous industry or occupation;

Category 2 - Mass Layoff or Closure

- (i) Laid off or has received notice of layoff, as a result of a permanent closure, or a significant layoff event;
- (ii) Employed at a facility for which a general closure notice has been issued within 180 days; or
- (iii) For eligibility purposes, to receive services other than training services, career services or support services, if employed at a facility where an employer has made a general notice of closure;

Category 3 - Self employed

Self-employed (including employment as a farmer or fisherman) but unemployed as a result of general economic conditions or natural disasters in the community in which he/she lives;

Category 4 - Displaced due to household chores

- A. A person who has provided unpaid services to family members and who;

- i. Has been dependent on the income of another family member and does not currently have this income; **or**
 - ii. Is the spouse of a member of the armed forces on active duty and whose family income has been significantly reduced, due to a military deployment, or a call to active duty, a permanent change to another base, death, or disability related to military service; **and**
- B. Unemployed or underemployed and is experiencing difficulty in obtaining or advancing in employment.

Category 5 - Spouse of a member of the Armed Forces

- (i) Individual who is the spouse of a member of the armed forces who is on active duty and has experienced a loss of employment as a direct result of a relocation to accommodate a permanent change in duty station; **or**
- (ii) Spouse of a member of the armed forces who meets the criteria of unemployed or underemployed and is experiencing difficulty obtaining or upgrading in employment.

VI- Eligibility Review

The authorized officer will complete the eligibility review and verification check sheet to ensure that all applicable eligibility criteria and categories have been met.

VII- Approval and Effectiveness

This policy shall become effective immediately upon approval. It shall be the responsibility of the executive director to disseminate and instruct staff within five (5) days from the date of its approval.

Approved today, December 13, _____, 2023.



Miguel Ramos Morales
Local Board President