



WORKFORCE
DEVELOPMENT



Workforce Innovation and Opportunity Act Eligibility Technical Assistance Guide

Program Year 2016 - 2017

INTRODUCTION

The Workforce Innovation and Opportunity Act (WIOA) offers an integrated and comprehensive range of services consisting of workforce development activities benefiting employers, job seekers, and communities. The purposes of WIOA are to:

- increase, particularly for individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services needed to succeed in the labor market;
- support the alignment of workforce investment, education, and economic development systems for a comprehensive, accessible, and high-quality workforce development system;
- improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide individuals with the skills and credentials necessary to secure and advance in employment with family-sustaining wages, and to provide employers with the skilled workers needed to succeed in a global economy;
- promote improvement in the structure and delivery of services through the workforce development system to better address the educational and training needs of workers, job seekers, and employers;
- increase the prosperity of workers and employers; the economic growth of communities, regions, and states; and the global competitiveness of the United States; and
- provide workforce investment activities, through state and local workforce development systems, that increase participants' employment, retention, earnings, and attainment of recognized postsecondary credentials, and as a result, improve the quality of the workforce, reduce dependency on public assistance, increase economic self-sufficiency, meet the skills requirements of employers, and enhance the productivity and competitiveness of the nation.

The purpose of the *WIOA Eligibility Technical Assistance Guide (TAG)* is to provide the policies and procedures regarding criteria and documentation sources for establishing WIOA Title I program eligibility for adults and dislocated workers.

This policy guidance is based on WIOA final rules spanning WIOA Titles I–IV, which were made publicly available in late June 2016. The WIOA final rules pertaining to Titles I and III were published in the Federal Register on August 19, 2016, and become effective on October 18, 2016.

NOVA's local policies and procedures are printed in ***bold, italic type***. This TAG will be updated as further guidance is issued by DOL and/or EDD.

ELIGIBILITY DETERMINATION AND REGISTRATION

This guide establishes the minimum eligibility determination and verification standards to be implemented for Workforce Innovation and Opportunity Act (WIOA) registrants funded by the NOVA Workforce Development Board (WDB) for services under WIOA Title I, Adult and Dislocated Worker Programs.

The eligibility procedure should:

- Limit the documentation burden to the minimum necessary to adequately verify such eligibility.
- Ensure, to the extent practical, that the documentation requirements shall not discourage the participation of eligible individuals.
- Provide a check to ensure, to the maximum extent possible, that only eligible registrants receive WIOA services.

Registration

Registration is an information collection process that documents a determination of eligibility. For an individual to be registered into a WIOA program, the following must occur:

- The individual must complete the application/eligibility determination process;
- The individual must provide the documentation required to substantiate his/her eligibility; and
- Staff must enter the participant data into the local case management system.

Equal Employment Opportunity (EEO) data will be collected on individuals during the registration process, e.g. age, sex, race/ethnicity, and disability (when applicable).

Application Process

There is no federal limit on how much time is allowed between the application date and registration date, or how much time staff has to document and verify eligibility. Nevertheless, so much time should not elapse before registration that it becomes unreasonable to assume the information about the individual is still true; otherwise, there may be disallowed costs associated with the individual's eligibility.

Local policy for time limits covering the application process

- a) Applicants and staff have 90 days from the initiation of the application process to provide necessary documentation to complete the application process;***
- b) upon completion of the application process, staff shall have five working days to review and confirm eligibility***
- c) Documentation shall be considered valid for purposes of enrollment for up to 90 days upon completion of the application process. After 90 days, the application is considered inactive and the customer will need to re-register.***

The application form may be updated at any time as participant meets additional eligibility criteria.

Determination of Eligibility

A determination of eligibility must be made in order to enroll a registrant into a WIOA Adult or Dislocated Worker to provide individualized career services and/or training services. This determination is based on the eligibility verification process.

Local policy and procedures for determining eligibility and maintaining participant case records

- a) 100% up-front documentation of eligibility will be required for all WIOA applicants prior to accessing services.***
- b) Applicants will complete a WIOA Application for WIOA-funded services***
- c) Verification of supporting eligibility documentation will be recorded in the MIS file and in case notes as needed.***
- d) Initial documentation of applicant eligibility will be based on the date of application.***

- e) ***Applicant/Participant records including all required WIOA forms and eligibility documentation, case notes, and supporting documentation for training activities will be maintained in the electronic case management system or MIS file as appropriate.***
- f) ***All case files (MIS files and electronic files) are subject to monitoring and audit.***

Notification of Civil Rights

No one registering for or enrolled in the Workforce Innovation and Opportunity Act (WIOA) programs may be discriminated against because of race, color, disability, national origin, sex, age, political affiliation or beliefs.

All customers registering for the WIOA programs will receive a copy of the Civil Rights and Complaint Summary Form. Applicant's acknowledgement of this notification will be recorded on the WIOA Application. In the event of a Civil Rights Complaint, the NOVA customer will follow the approved process for filing such complaint.

Concurrent Participation

Individuals for whom eligibility has been verified and who have been determined eligible for multiple WIOA programs may participate concurrently in multiple WIOA and America's Job Center of CaliforniaSM partner programs.

Eligible youth who are 18 through 24 years of age may participate in the youth and/or adult program or both, depending on the services needed.

For additional guidance, see Workforce Services Information Notice, WSIN13-31, Co-enrollment and WIA Reporting of Participants in New CalJOBSSM.

Exited Participants

Once a participant is exited from a WIOA program and is in need of additional services beyond those included in the Follow Up category, the application, documentation, and verification process must be repeated before the individual can be registered into the WIOA program again.

General Eligibility for WIOA Adult and Dislocated Worker Programs

General Eligibility

To be eligible to receive WIOA services in the adult and dislocated worker programs, an individual must:

1. Be 18 years of age or older;
2. Be a citizen or noncitizen authorized to work in the US; and

Eligible to Work—Section 9601.5 of the California Unemployment Insurance Code requires that "each state or local government agency or community action agency, or any private organization contracting with a state or local government agency, that provides employment services, including, but not limited to, job training, retraining, or placement, shall verify an individual's legal status or authorization to work prior to providing services to that individual in accordance with procedures established under federal law."

The documentation of an individual's employability (right-to-work) must be conducted in compliance with Title 8 CFR Section 274a.2 which states the federal requirements and procedures persons or entities must comply with when hiring, or when recruiting or referring for a fee, or when continuing to employ individuals in the United States. These requirements and procedures are published as the [U.S. Citizenship and Immigration Services \(USCIS\) Form I-9](#), and take precedence over any State statute and regulation governing alien status determination,

Citizenship is a demographic reporting element required from time to time by the State for research and analysis. It is not necessary to document and verify citizenship, in addition to documenting an individual's employability.

Local policy and procedures when legal status or work authorization documents have expired:

Legal status/work authorization will be verified and documented at time of Registration (application date). For eligible non-citizens, the expiration date on legal status/work authorization documents will be recorded on the WIOA Application and entered into the local case management system. Individuals with Permanent Resident Cards without an expiration date or those providing Asylee documentation without an expiration date, a date of 01/01/2020 will be entered on the WIOA Application and into the CISRS system.

Reports listing clients with work authorization documents due to expire within 60 days will be distributed to the Career Advisors on a monthly basis. Staff will be responsible for collecting current legal status/work authorization documentation. WIOA-funded services will discontinue if legal work authorization is not received by the expiration date of work authorization documents on file.

3. Meet Military Selective Service registration requirements (males only).

WIOA Section 189(h) requires males to comply with Selective Service registration requirements prior to participation in WIOA funded programs. Local areas must ensure that each applicable male that participates in any local program or activity established under WIOA, or receives any assistance or benefit under WIOA, has not knowingly and willfully violated Section 3 of the Military Selective Service Act (MSSA).

Males born on or after January 1, 1960, and at least 18 years of age, who are not in the armed services on active duty, must be registered for the Selective Service. A youth who becomes 18 years of age while participating in a WIOA program must register within 30 days of his 18th birthday. If a youth fails to register within 30 days of his 18th birthdate, WIOA-funded service will discontinue.

Occasionally, males who were subject to Selective Service registration, but did not register and are now beyond their 26th birth date, apply for assistance from the WIOA program. The MSSA requires that services must be denied to a male applicant 26 years or older, if it is determined that he knowingly and willfully failed to register. However, when it can be determined that the applicant did not knowingly or willfully fail to register, he can be considered for participation.

Local policy and procedures for determining whether an individual knowingly and willfully failed to register:

Males over the Age of 26 who did not Register and are not exempt.

Occasionally, males who were subject to Selective Service System (SSS) registration did not register and are now beyond their 26th birthday, apply for assistance from the WIOA program. In these instances, individuals must obtain a Status Information Letter from the Selective Service before a determination of knowing and willful failure to register can be made.

If the Status Information Letter indicates that an individual was not required to register for Selective Service, then he is eligible to enroll in a WIOA-funded service.

If the Status Information Letter indicates that the individual was required to register and did not register, he is presumed to be disqualified from participation in WIOA-funded activities and services until it can be determined that his failure to register was not knowing and willful. At this point, the individual, with assistance from Registration Staff if needed, will complete the questions contained on the Selective Service Determination form. This purpose of this form is to establish consistency in implementing the selective service requirement. The individual should be encouraged to offer as much evidence/documentation and in as much detail as possible to support his case.

The final determination will be documented by staff in writing, include supporting documentation, and the applicant's signature to verify the

accuracy of the information provided.

If it is determined that the evidence shows the individual's failure to register was knowing and willful, WIOA services must be denied. Applicants denied services must be advised of the available grievance procedures.

Priority of WIOA Services

Veterans

On November 7, 2002, President Bush signed the Jobs for Veterans Act (Act) in order to revise and improve employment, training, and placement services provided to veterans. Section 2(a) of the Act mandates priority of service for veterans and eligible spouses "who otherwise meet the eligibility requirements for participation" in U.S. Department of Labor (DOL) programs.

Verification of status for veterans and eligible spouses is not required until the veteran or eligible spouse undergoes eligibility determination and is registered in a Workforce Innovation and Opportunity Act (WIOA) program. Until the point at which the participant is registered, a participant who states they meet the veterans' priority eligibility criteria must be accorded veterans priority of service on the basis of self-attestation.

Related Definitions

The definitions listed below are for the purposes of implementing veterans priority of service only.

VETERAN - A person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in Title 38 United States Code (USC) 101(2).

ACTIVE SERVICE - includes full-time federal service in the National Guard, Coast Guard, or a Reserve component. This definition does not include full-time duty performed strictly for training purposes (i.e., that which often is referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities (state mobilizations usually occur in response to events such as natural disasters).

ELIGIBLE SPOUSE - the spouse (including the same-sex spouse) of any of the following:

- a) Any veteran who died of a service-connected disability;
- b) Any member of the armed forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - (1) Missing in action;
 - (2) Captured in the line of duty by a hostile force; or
 - (3) Forcibly detained or interned in the line of duty by a foreign power;
- c) Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs; or
- d) Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories 2 or 3 above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g., if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member [Title 38 USC 4215(a)].

(Note: Consistent with Training and Employment Guidance Letter (TEGL) [26-13](#), the definition of "eligible spouse" includes same-sex spouses.)

NON-COVERED PERSON – Persons not eligible for priority of service.

PRIORITY OF SERVICE - Veterans and eligible spouses are entitled to receive precedence over non-covered persons for employment, training, and placement services. Specifically, a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

Applying Veteran Priority of Service

The application of priority of service varies depending on the eligibility requirements of the particular program. There are three basic categories of DOL-funded programs: universal access programs, programs that require participants to meet specified eligibility criteria, and programs with statutory priorities. The following describes how priority of service applies to these basic types of programs.

- (1) Universal access programs - For workforce programs that operate or deliver services to the public as a whole without targeting specific groups (i.e., basic career services delivered through the America's Job Center of CaliforniaSM system under the Wagner-Peyser and WIOA programs), veterans and eligible spouses must receive priority of service over all other program participants.
- (2) Programs with Eligibility Criteria - Eligibility criteria identify basic conditions that each participant in a specific program is required to meet. For example, for the WIOA adult, dislocated worker, and youth programs, every participant is required to meet three criteria: authorization to work, selective service registration, and age requirements. A veteran or eligible spouse must first meet all of the statutory eligibility criteria in order to be considered eligible for participation in the program. Once determined eligible for participation, the veteran or eligible spouse receives priority for participation in the program and receipt of services.
- (3) Programs with Statutory Priorities - For workforce programs with statutory priorities (such as priority for low-income individuals and recipients of public assistance for the adult program), staff must determine the status of each individual veteran or eligible spouse and apply priority of service as described below:
 - (a) Veterans and eligible spouses who meet the mandatory priorities or spending requirement or limitation must receive the highest level of priority for the program or service;
 - (b) Non-covered persons who meet the program's mandatory priority or spending requirement or limitation then receive the second level of priority for the program or service;
 - (c) Veterans and eligible spouses outside the program-specific mandatory priority or spending requirement or limitation then receive the third level of priority for the program or service; and
 - (d) Non-covered persons outside the program-specific mandatory priority or spending requirement or limitation then receive the fourth level of priority for the program or service.

For additional guidance regarding priority of service, see TEGL [10-09](#), Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by DOL, and the [Jobs for Veterans Act](#) Web page.

Local policy and procedures for implementing the priority of service requirement for veterans and eligible spouses

- ***Veterans and eligible spouses are identified at the time of registration***
- ***Priority of service for veterans and eligible spouses is implemented at the NOVA Job Centers in the following manner:***
 - a) ***When requesting Advising appointments or Advice Line calls, veterans and eligible spouses are served first.***
 - b) ***When checking in for job search workshops, veterans and eligible spouses are served first***
 - c) ***Access to the online class registration system is provided to veterans and eligible spouses three hours before all other registered members.***

- d) ***Veterans and eligible spouses hoping to obtain seats in computer and communication classes (individualized services) when seats are unfilled by those who pre-registered, are given priority over all other participants.***
- e) ***When training funds are determined to be limited, veterans and eligible spouses have priority for NOVA-funded training over all other registered individuals***

Adults

As stated in the WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority does not apply to the dislocated worker population.

Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria and meet the criteria under WIOA Section 134(c)(3)(E). As described in TEGL 10-09, when programs are statutorily required to provide priority, such as the WIOA adult program, then priority must be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
2. Individuals who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Other individuals not included in WIOA's priority groups.

Related Definitions

The definitions listed below are for the purposes of implementing adult priority of service only.

BASIC SKILLS DEFICIENT - An individual that is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society (WIOA Section 3[5]).

Additional State Criteria used to determine whether an individual is basic skills deficient includes the following:

- Lacks a high school diploma or high school equivalency and is not enrolled in postsecondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- English, reading, writing, or computing skills at an 8.9 or below grade level.
- Determined to be Limited English Skills proficient through staff-documented observations.
- Other objective criteria determined to be appropriate by the Local Area and documented in its required policy.

Additional NOVA-defined criteria

- ***Deficient in computer literacy skills shall be defined as: lack of basic, non-technical knowledge of computers and how to use them; lack of familiarity and experience with computers, computer software, and computer systems***

LOW INCOME INDIVIDUAL - An individual that meets one of the four criteria specific to the Adult priority of service below:

- a) Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the supplemental nutrition assistance program (CalFresh/Food Stamps), temporary assistance for needy families program, supplemental security income program, or state or local income-based public assistance.
- b) In a family with total family income that does not exceed the higher of the following:
 - a. the poverty line; or
 - b. 70 percent of the Lower Living Standard Income Level.

- c) A homeless individual.
- d) An individual with a disability, whose own income does not exceed the income requirement, but is a member of a family whose total income does (WIOA Section 3[36]).

DEPENDENT CHILDREN AGE 19-24 - Dependent children are *youth still claimed as dependents for income tax purposes* and subject to the IRS definition of dependent (IRS Publication 501):

- a) Age 19 - 24, a student or any age if permanently and totally disabled, and
- b) Living with parent or guardian for more than half of the year, and
- c) Did not provide than half of his or her own support for the year.

It is not possible to develop policy that will cover every situation. At some point, common sense, humanity and good case records must compensate for the deficiencies of policies to anticipate every situation.

FAMILY -The term *family* means two or more persons related by blood, marriage (including same-sex marriage), or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- a) A married couple (including same-sex spouses) and dependent children.
- b) A parent or guardian and dependent children.
- c) A married couple (including same-sex spouses).

HOMELESS - The term homeless, homeless individual, or homeless person includes:

- (1) An individual who lacks a fixed, regular, and adequate nighttime residence;
- (2) An individual with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground;
- (3) An individual living in a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing);
- (4) An individual who resided in a shelter or place not meant for human habitation or who is exiting an institution where he or she temporarily resided;
- (5) An individual who -
 - (a) will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by—
 - (i) a court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days;
 - (ii) the individual or family having a primary nighttime residence that is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days; or
 - (iii) credible evidence indicating that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause;
 - (b) has no subsequent residence identified; and
 - (c) lacks the resources or support networks needed to obtain other permanent housing; and
- (6) Unaccompanied youth and homeless families with children and youth defined as homeless under other federal statutes who—
 - (a) have experienced a long term period without living independently in permanent housing;
 - (b) have experienced persistent instability as measured by frequent moves over such period; and
 - (c) can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

INDIVIDUAL WITH A DISABILITY - The term *disability* means, with respect to an individual:

- a) A physical or mental impairment that substantially limits one or more of the major life activities of such an individual;
- b) A record of such an impairment; or
- c) Being regarded as having such impairment.

An individual with a disability whose own income meets the low-income criteria, but is a member of a family whose income does not meet the low-income requirements, is a low-income individual.

PUBLIC ASSISTANCE RECIPIENT - An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test (WIOA Section 3[50]).

DETERMINING LOW-INCOME STATUS – Updated 3/1/17 per TEGL 19-16

The following income sources should be included in an individual's income calculation:

- Monetary compensation for services, including wages, tips, salary, commissions, or fees before any deductions
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense)
- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses)
- **Unemployment Insurance**
- **Child support payments (including foster care child payments)**
- **Social Security Old Age and Survivors' Insurance benefit payments**
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp)
- Alimony, Military family allotments, or other regular support from an absent family member or someone not living in the household
- Private pensions, government employee pensions (including military retirement pay)
- Regular insurance or annuity payments (including state disability insurance)
- College or university scholarships (not needs-based), grants, fellowships, and assistantships
- Net gambling or lottery winnings
- Severance payments
- Terminal leave pay
- Social Security Disability Insurance payments

The following income sources should not be included in an individual's income calculation:

- Need-based Public Assistance payments (including TANF, Supplemental Security Income, Emergency Assistance money payments, and non-federally-funded general assistance or general relief money payments)
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants
- Supplemental Educational Opportunity Grants and Federal Work Study
- Needs-based scholarship assistance
- Loans
- Veterans Benefits
- Income earned while the veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational

rehabilitation, and education assistance

- Capital gains
- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury
- Non-cash benefits such as employer paid or union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages
- The value of food and fuel produced and consumed on farms
- The imputed value of rent from owner occupied nonfarm or farm housing
- Medicare, Medicaid, food stamps, school meals, and housing assistance
- Allowances, earnings and payments to individuals participating in programs under this Act (except OJT wages)

When a federal statute excludes income received under that statute in determining eligibility for programs operated under other federal laws, such income is also excluded in WIOA eligibility determination.

Military Pay and Income Determination (20 CFR 683.230)

When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits (e.g., Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs; proposed 20 CFR 680.650) must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination.

The Lower Living Standard Income Level and Poverty Guidelines

The LLSIL and poverty guidelines are used to establish low-income status for WIOA Title I programs and to determine eligibility for priority of service on the WIOA Adult program. The LLSIL and poverty guidelines are published each year in an EDD Workforce Services Directive.

Low Income status is determined by comparing the applicant's actual family income during the six-month income determination period using the higher of either the LLSIL or the poverty guideline for the appropriate family size.

Only the income received during the six-month period immediately prior to the individual's application for WIOA funded services is used for income determination. Depending on an individual's situation, their income for eligibility purposes may include only their income or their total family income. The total family income includes the income from each family member.

Income Guidelines for 2016 were published in Workforce Services Directive WSD16-2 on July 20, 2016.

WIOA INCOME GUIDELINES

Number in Family	1	2	3	4	5	6	For Each Additional Add:
6 months:	\$5,940	\$9,376	\$12,869	\$15,886	\$18,748	\$21,926	\$3,179

Calculating Income

Individuals normally receive income as salary, varying, or intermittent payments. An individual's income may be calculated using the following methods.

(1) **Salary (S)**

6-Month Income Prior to Determination:

Salary is income received without variation in gross pay from pay period to pay period. Salary information may be provided in a series of pay stubs or one, cumulative pay stub.

To determine an individual's gross income for the most recent six-month time period, multiply the individual's weekly gross pay by 26, bi-weekly pay by 13, bi-monthly pay by 12, or monthly pay by 6.

Example: Bi-weekly pay stubs indicate a gross amount of \$548.

$\$548 \times 13 = \$7,124$, the income for the most recent six-month time period

(2) **Varying (V)**

When reported earnings vary from pay period to pay period, average of the earnings submitted. The earnings may be submitted on a number of pay stubs or on one cumulative pay stub.

Example: Six weekly pay stubs report the following gross earnings: \$534, \$475, \$398, \$534, \$498, and \$534.

Add: $\$534 + \$475 + \$398 + \$534 + \$498 + \$534 = \$2,973$

Divide: $\$2,973 \div 6 = \495.50 , the average gross weekly earnings

Multiply: $\$495.50 \times 26 = \$12,883$, **the 6-months gross income**

(3) **Intermittent (I)**

Earnings are varied and include periods of unemployment. With as much data as possible, determine the 6-months gross income by adding the reported earnings.

ADDITIONAL ELIGIBILITY CRITERIA FOR DISLOCATED WORKERS

In addition to complying with general eligibility, an individual must meet any one of the five following criteria to be eligible to receive dislocated worker services under Title I of WIOA.

An eligible dislocated worker remains eligible for assistance after dislocation as long as the individual has not been employed in a job since dislocation and prior to application that paid a wage defined by the local board as a self-sufficient dislocated worker wage or leading to self-sufficiency or providing more than stopgap employment.

Stop-gap employment means work an individual does only because he has lost the customary work for which his training, experience or work history qualifies him/her. Employment would be considered "stop-gap" if the salary were substantially below the salary of the individual's primary occupation and/or if he/she is working substantially under the skill level of his customary occupation. There may be times when stopgap employment provides a self-sufficient wage, e.g., contract employment or employment obtained through a temporary employment services agency. Such employment would not change the individual's dislocated worker status. The determination about whether or not an individual's employment since dislocation is stopgap employment must be made on a case by case basis and take into consideration an individual's personal, family, financial, and employment situation.

An individual employed in stop-gap employment upon enrollment should be recorded as employed in the employment status field. The participant file must contain appropriate documentation showing why the stop-gap employment qualifies the individual for the dislocated worker program.

Once an individual is registered as a dislocated worker, the individual remains a dislocated worker until exited from the program regardless of employment status or earnings. If a participant becomes employed in a full time, permanent job that pays a wage defined by the local board as self-sufficient or leading to self-sufficiency, the participant may continue to be served in the program until he/she is formally exited from the program.

Dislocated Worker

There are five methods for determining dislocated worker eligibility.

The first method has been formatted for clarity. It has three conditions that must be met: (A), (B) and (C). For (B), there are two options for meeting the condition: (1) or (2).

The individual:

1. (A) Has been terminated or laid off, or who has received a notice of termination or layoff, from employment;
AND

- (B) 1) Is eligible for or has exhausted entitlement to unemployment compensation; **or**
2) Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law;

Local definition of Sufficient attachment to the workforce shall be defined as:

A period of three (3) consecutive months of full or part time employment within the last one year prior to the date of the WIOA Application. Part time employment conditions that, by their nature or design, restrict the numbers of hours available for work in any day are acceptable in determining sufficient attachment to the workforce. Examples include, but are not limited to school aides, babysitters, domestics, etc

AND

(C) Is unlikely to return to a previous industry or occupation;

Local definition of 'Unlikely to return to previous occupation' shall be defined as:

An individual who at the time of application is determined to have one or more of the following barriers to returning to previous occupation:

- ***age 50+***
- ***offender***
- ***limited English***
- ***HS Drop out***
- ***substance abuse***
- ***disability/health***
- ***basic skills deficient***
- ***long-term unemployed (defined as 13 of last 26 weeks)***
- ***referred through the Worker Profiling and Reemployment System***
- ***insufficient education for job***
- ***obsolete/inadequate job skills***
- ***limited availability of occupation***
- ***declining industry***
- ***significant wage variable for self-sufficiency (defined as salaries of like positions posted at 20% less than previous position)***
- ***other barriers defined or determined by Eligibility Specialist***

NOTE REGARDING SEPARATING MILITARY SERVICE MEMBERS: If the separating service member is separating from the Armed Forces with a discharge that is anything other than dishonorable, the separating service member qualifies for dislocated worker activities based under Category 1 based on the following criteria:

- a) The separating service member has received a notice of separation, a DD-214 from the Department of Defense, or other documentation showing a separation or imminent separation from the Armed Forces to satisfy the termination or layoff part of the dislocated worker eligibility criteria in WIOA sec. 3(15)(A)(i);
- b) The separating service member qualifies for the dislocated worker eligibility criteria on eligibility for or exhaustion of unemployment compensation in WIOA sec. 3(15)(A)(ii)(I) or (II); and,
- c) As a separating service member, the individual meets the dislocated worker eligibility criteria that the individual is unlikely to return to a previous industry or occupation in WIOA sec. 3(15)(A)(iii).

2. (A) Has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; **OR**

Local definition of a Substantial layoff at a plant, facility, or enterprise shall be defined as: Any temporary or permanent reduction in workforce by 10% of employees by department, unit or total company, but not necessarily resulting in permanent closure

- (B) Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or for purposes of eligibility to receive services other than training services described in WIOA Section 134(d)(4), intensive services described in Section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;

Local definition of a General announcement shall be defined as: A recognized media or public notice (newspaper article, internet posting, etc) documenting an employer's intent to close.

3. Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of *general economic conditions* in the community in which the individual resides or because of natural disasters;

Local definition of general economic conditions shall be defined as a

a) Decline in local economy

b) Decline in occupational demand in which the self-employed person generated his/her historical revenue

c) Closure/RIF of supplier or consumer occurred

d) Natural or Catastrophic Disaster occurred

4. Is a displaced homemaker - The term "displaced homemaker" means an individual who has been providing unpaid services to family members in the home and who:

- (A) (i) Has been dependent on the income of another family member but is no longer supported by that income; **OR**

- (ii) Is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; **AND**

- (B) Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment;

5. (A) Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), **and** who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; **OR**

- (B) Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

The Act permits funds to be used for individualized career services, training services and support services for workers: (1) as soon as they have layoff notices; or (2) 180 days before layoff if employed at a facility that has made a general announcement that it will close within 180 days.

Farmworkers and the Unlikely to Return Standard

The inherently seasonal nature of farmworker occupations has been incorrectly perceived by some practitioners as disqualifying under the “unlikely to return to work” standard in WIOA Section 3(15)(A)(iii). In fact, individuals that may have worked seasonally can be considered unlikely to return to work in a previous industry or occupation for a variety of reasons such as:

1. Change in family situation that requires higher income;
2. Disability that precludes returning to the same occupation;
3. Natural disaster that results in lost wages;
4. Loss of agricultural land;
5. Mechanization; or
6. Any significant variance to normal seasonal employment patterns, resulting in uncertain return-to-work dates.

Additionally, permanent closures or a substantial layoff from agricultural enterprises and facilities such as packaging, canneries, or farming are not excluded from the standard under WIOA Section 3(15)(B). The WIOA Section 3(15)(C) standard regarding those that were self-employed (including employment as a farmer, a rancher, or a fisherman) and are unemployed due to economic conditions that resulted from extreme or unusual weather patterns and agricultural market downturns can also apply to farmworkers.

Layoffs, Furloughs, Temporary Layoffs and Lockouts

Layoff means the permanent or temporary termination of employment of an employee because a position has been abolished, because of insufficient funds, because of lack of work, or for any other reason not reflecting discredit on the employee (such as, dismissal for inadequate performance, violation of workplace rules, cause, etc.). Individuals that are laid off meet the dislocated worker category 1(A). These individuals must still meet the remaining conditions of category 1.

Furlough means the placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons [Title 5 United States Code (USC) 7511(a)(5)]. As such, it is a temporary termination of employment or layoff. Individuals that are furloughed are considered laid off and meet the dislocated worker category 1(A). These individuals must still meet the remaining conditions of category 1.

Lockout means any refusal by an employer to permit any group of five or more employees to work as a result of a dispute with such employees affecting wages, hours or other terms or conditions of employment of such employees [Section 1132.8 of the California Labor Code]. A lockout does not terminate the employer-employee relationship. Consequently, locked out employees are not eligible dislocated workers since they have not been terminated or laid off, are not eligible for unemployment compensation, and are likely to return to the same industry or occupation once the dispute is resolved. The same guidance applies to employees that are on strike. There may be locked out employees who for financial reasons seek other employment. These individuals may be served as adults.

ELIGIBILITY FOR SERVICES

Career and Training Services

Under WIOA, the WIA core and intensive services are merged into a new category entitled “career services.” The career services category includes basic career services, found at WIOA Section 134(c)(2)(A)(i)-(xi), and individualized career services, found at WIOA Section 134(c)(2)(A)(xii). Basic career services are not subject to the priority of service requirement. However, individualized career services and training services for the Adult program are subject to the requirement (Title 20 CFR NPRM Section 680.150).

Basic Career Services

Basic career services must be made available to all individuals seeking services offered by the one-stop delivery system:

Individualized Career Services

Individualized career services are subject to priority of service and may be provided if determined to be appropriate in order for an eligible individual to obtain or retain employment.

Training Services

Training services may be made available to eligible adult and dislocated workers

1. Who, after an interview, evaluation or assessment and career planning have been determined to:
 - a. Be unlikely or unable to obtain/retain employment and is in need of training services obtain/retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - b. Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
 - c. Possessing the skills and qualifications to successfully participant in the selected program of training services;
2. Select a program of training service(s) that are directly linked to the employment opportunities in the local area or the planning region or in another area to which the adults or dislocated workers are willing to commute or relocate; and
3. Be unable to obtain other grant assistance and/or requires assistance beyond the assistance made available under other grant assistance programs; and
4. Be eligible based on the established priority system.

Eligibility of Employed Individuals (Adult or Dislocated Worker) to Receive individualized and/or Training Services

An employed Adult or Dislocated Worker may receive Individualized and Training Services if they are determined to be in need of intensive services to obtain or retain employment that leads to self-sufficiency.

According to the Bay Area Council Economic Institute (www.bayareaeconomy.org), the Bay Area is at the cutting edge of global technology, has the highest concentration of innovative-related jobs in the US, and has a leading position in global trade.

Due to the highly competitive and dynamic nature of business in our area, job seekers must demonstrate they have the skills to obtain and retain their employment as employers respond to ever changing skill needs.

Given the skill needs in our area, we determine that all employed participants are in need of intensive services to assist with obtaining and retaining their employment.

Acceptable Documentation for Eligibility

There must be reasonable efforts made to document eligibility for WIOA-funded programs. However, the use of self-attestation is allowable to document those items that are not verifiable or are readily available. The applicant's difficulty in obtaining documentation does not need to entail undue hardship to justify using an applicant's self-attestation. If a self-attestation is used, the Registration Worker must note attempts made to collect information which were exhausted prior to the need for a self-attestation.

In taking an applicant's self-attestation, it is NOT necessary to obtain corroboration unless there is reason not to believe the applicant.

Definitions

CASE NOTES – Paper or electronic statements by the case manager that identifies, at a minimum, (1) a participant's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must provide an auditable trail back to the source of information verified. The case manager does not need to keep a hard copy of the information verified in the participant's case file.

SELF ATTESTATION – When a participant states his or her status for a particular data element, such as low income or homeless status, and then signs and dates a form acknowledging this status. The key elements for self-attestation are:

- a) the participant identifying his or her status for permitted elements; and
- b) signing and dating a form attesting to this self-identification. The completed self-attestation form with signature remains part of the eligibility verification and must be filed in the participant's MIS file.

Note that, self-attestation is not to be used as the primary method of gathering documentation to verify data elements. ***Self-attestation as a documentation source is only to be used when the preferred options of paper documentation or third party corroboration are not available***

GENERAL ELIGIBILITY	
ELIGIBILITY CRITERIA (Verify each criterion unless specified otherwise)	ACCEPTABLE DOCUMENTATION (Only one document from this column per eligibility criterion is required)
<p>BIRTH DATE/AGE Note: Applicants must be age 18 or older at the time of registration to participate in this program.</p> <p><i>This eligibility item is typically covered by US Work Authorizations documents – see next item</i></p>	<ul style="list-style-type: none"> • Baptismal or Church Record • Birth Certificate • DD-214 Form/Report of Transfer or Discharge • Driver's License • Federal, State or Local Government Issued Identification Card • Hospital Record of Birth • Passport/Passport Card • Public Assistance/Social Service Records • School Records/ID Card • Work Permit • Tribal Records • Cross Match with Vital Statistics
<p>U.S. WORK AUTHORIZATION</p>	<ul style="list-style-type: none"> • Verification Document(s) that Satisfy List A of the I-9 • Verification Document(s) that Satisfy List B and C of the I-9

<p>SELECTIVE SERVICE REGISTRANT</p> <p>Note: Each male registrant 18 years of age or older born on or after January 1, 1960, must present evidence that he has complied with <i>Section 3</i> of the Military Selective Service Act.</p> <p>Males entering the US after age 26 are exempt from this requirement.</p>	<ul style="list-style-type: none"> • Acknowledgement Letter • Form DD-214 • Screen printout of the Selective Service Verification Internet site: www.sss.gov/regver/verification1.asp • Selective Service Status Information Letter • Selective Service Registration Card/Record • Selective Service Verification Form • Stamped Post Office Receipt of Registration • Selective Service Determination Review Form
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ADULT PROGRAM PRIORITY

ELIGIBILITY CRITERIA (Verify each criterion unless specified otherwise)	ACCEPTABLE DOCUMENTATION (Only one document from this column per eligibility criterion is required)
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LOW INCOME / PUBLIC ASSISTANCE RECIPIENT

<p>FAMILY INCOME</p> <p>Note: Documentation should be provided for each applicable <i>inclusive</i> income source received by the applicant and each family member for the six-month income period immediately preceding the determination date.</p> <p>It is necessary to verify family size when utilizing family income eligibility.</p> <p>An applicant who claims little or no income must submit a statement that little or no income was received during the past six months, and that he/she was not employed for that period.</p>	<ul style="list-style-type: none"> • Income Calendar w/Pay Stubs • Alimony Agreement • Award Letter from Veterans Administration • Bank Statements (Direct Deposit) • Compensation Award Letter • Court Award Letter • Employer Statement • Farm or Business Financial Records • Housing Authority Verification • Pension Statement • Public Assistance Records • Applicant Statement • Quarterly Estimated Tax for Self-employed Persons (Schedule C) • Social Security Benefits Records • Telephone Verification with Employer • Unemployment Insurance Documents and/or Printout
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<p>FAMILY SIZE / INDIVIDUAL STATUS</p> <p>Note: In addition to documentation of family size, additional documentation may require to establish that the family is living in a single residence.</p> <p>Persons ordinarily included in the definition of family, but claiming to be no longer dependent, must attest to their individual status. The head of household in which that person resides, if possible, should corroborate such statement. Individual must also show source of support.</p>	<ul style="list-style-type: none"> • Lease • Telephone Verification • Birth/Baptismal Certificates or Church/Hospital Records of Birth • Decree of Court • Divorce Decree • Social Security Cards • Alien Registration Cards • Landlord Statement • Marriage Certificate • Medical Card • Public Assistance/Social Service Agency Records • Written Statement from a 24 Hour Care Facility or Institution (e.g. Mental, Prison) • Most Recent Tax Return Supported by IRS Documents (e.g. Form Letter 1722) • Applicant Statement
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<p>CASH PUBLIC ASSISTANCE</p> <p>Note: The applicant receives or is a member of a family that receives cash payments under a federal, state, or local income-based public assistance program.</p>	<ul style="list-style-type: none"> • Authorization to Receive Cash Public Assistance • Public Assistance Check • Public Assistance Identification Card Showing Cash Grant Status • Public Assistance Records/Printout • Refugee Assistance Records/Printout • Signed Statement from Health & Welfare • Telephone Verification
<p>FOOD STAMPS</p> <p>Note: The documentation listed must show that the applicant is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).</p>	<ul style="list-style-type: none"> • Authorization to Obtain Food Stamps • Food Stamp Card with Date Within the Last 6 Months • Food Stamp Receipt • Postmarked Food Stamp Mailer with Applicable Name and Address • Statement from County Welfare Office • Public Assistance Records/Printout • Telephone Verification with County Welfare Office
<p>HOMELESS</p>	<ul style="list-style-type: none"> • Applicant Statement • Statement from a Social Service Agency • Statement from an Individual Providing Temporary Residence • Statement from Shelter • Telephone Verification
<p>INDIVIDUALS WITH DISABILITIES</p> <p>Note: Disability status as well as income must be verified. An individual with a disability shall be considered a family of one for eligibility purposes.</p>	<ul style="list-style-type: none"> • Letter from Drug or Alcohol Rehabilitation Agency • Medical Records • Observable Condition • Physician's Statement • Psychiatrist or Psychologist Diagnosis/Statement • Rehabilitation Evaluation • School Official Statement • Sheltered Workshop Certification • Social Security Administration Disability Records • Social Service Records/Referral • Veterans Administration Letter/Records • Vocational Rehabilitation Letter/Statement • Workers Compensation Records/Statement • Telephone Verification • Applicant Statement
<p>Basic Skills Deficient</p>	
<p>Lacks a high school diploma or high school equivalency and is not enrolled in post-secondary education</p>	<ul style="list-style-type: none"> • School Records or verification from school • Self attestation
<p>Enrolled in a Title II Adult Education/Literacy program</p>	<ul style="list-style-type: none"> • School records or verification from school official
<p>English, reading, writing, or computing skills at an 8.9 grade level or below</p>	<ul style="list-style-type: none"> • Results of academic assessment
<p>Determined to be limited English-skills proficient through staff-documented observations</p>	<ul style="list-style-type: none"> • Case note clearly demonstrating staff assessment of English skills
<p>Lacking computer literacy defined as: non-technical knowledge of computers and how to</p>	<ul style="list-style-type: none"> • Case note clearly demonstrating staff assessment of computer skills

use them; familiarity and experience with computers, computers, software, and computer systems	<ul style="list-style-type: none"> Self attestation
VETERANS' PRIORITY OF SERVICE	
A veteran/covered person, as defined in Section 4215 of the Jobs for Veterans Act, is entitled to priority of service under WIOA Title I programs.	<ul style="list-style-type: none"> DD 214 Veterans Administration Letter or Records

DISLOCATED WORKERS *ADDITIONAL CRITERIA*

NOTE: Dislocated worker applicants must meet the following criteria for ONE of the listed groups:

ELIGIBILITY CRITERIA

(Verify each criterion unless specified otherwise)

ACCEPTABLE DOCUMENTATION

(Only one document from this column per eligibility criterion is required UNLESS SPECIFIED OTHERWISE)

ELIGIBILITY CATEGORY 1 –Terminated/Laid Off

<p>1. (A) Has been terminated or laid off, or who has received a notice of termination or layoff, from employment; AND</p>	<p>Verification of applicant's last day worked <u>and</u> reason for leaving</p> <ul style="list-style-type: none"> Written Notice from Employer <ul style="list-style-type: none"> a) Employer notice verifying the individual's last day worked and whether the individual was terminated or laid off. b) Severance pay documentation/ paycheck stub which verifies the individual's last day worked <u>and</u> that the individual was terminated or laid off EDD Notice of Claim Filed or EDD DCAF form. This is an Unemployment Insurance (UI) document which identifies the applicant, employer, last day worked and verifies termination or lay off status. Telephone Verification. The last day worked and reason for leaving can be obtained through telephone verification by Eligibility Specialist (Name and title of person verifying information must be included in the case notes) Rapid Response list Self-Attestation
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<p>(B)</p> <p>(a) Is eligible for or has exhausted entitlement to unemployment compensation; or</p> <p>(b) Has been employed for a duration sufficient to demonstrate attachment to the workforce (3 consecutive months out of the last 12 months), but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; AND</p>	<ul style="list-style-type: none"> • Unemployment Insurance records (award letter, benefit pay stubs) • Verification of UI eligibility by UI office • Statement by an Unemployment Insurance representative <p style="text-align: center;">-----</p> <ul style="list-style-type: none"> • Pay check stubs • W-2 and/or Tax Returns • Unemployment Insurance records • Statement by the employer or union representative • Statement by an Unemployment Insurance representative • Self-Attestation
<p>(C) Is unlikely to return to a previous industry or occupation.</p> <p>Definition of previous industry or occupation (career or line of work) is one of the following:</p> <p>a) the last job in which the individual worked</p> <p>b) a career in which an individual has spent a major portion of his/her life; excluding intermediate survival jobs</p> <p>c) the longest continuous job at which the individual worked during the past five years, if the individual has not had any job lasting for one year.</p> <p>Barriers</p> <ul style="list-style-type: none"> • age 50+ • offender • limited English • HS Drop out • substance abuse • disability/health • basic skills deficient • long-term unemployed (defined as 13 of last 26 weeks) • referred through the Worker Profiling and Reemployment System • insufficient education for job • obsolete/inadequate job skills • limited availability of occupation • declining industry • significant wage variable for self-sufficiency (defined as salaries of like positions posted at 20% less than previous position) • other barriers determined by Registration Staff 	<ul style="list-style-type: none"> • Internet site, such as CalJOBS that indicates lack of industry/occupation availability, insufficient skills/education or significant wage variable. • Newspaper employment section that indicates lack of industry/occupation availability, insufficient skills/education, or significant wage variable. • Review of Labor Market Information Division website that indicates lack of industry/occupation availability • Doctor's statement verifying applicant's inability to return to previous industry/occupation due to physical limitations • Vocational rehabilitation counselor's statement verifying applicant's inability to return to previous industry/occupation due to physical limitations • Employment/Eligibility Specialist's Determination as noted in case notes • Self-Attestation • Documentation of IAW Profiling (WPRS): Appointment Notice of referral to an Initial Assistance Workshop (IAW), Screen print of IAW schedule or Reemployment Plan generated from IAW. • Test Scores • Court Records/Telephone verification from Probation Officer • Documents listing age

DISLOCATED WORKERS (continued)

ELIGIBILITY CRITERIA

(Verify each criterion unless specified otherwise)

ACCEPTABLE DOCUMENTATION

(Only one document from this column per eligibility criterion is required UNLESS SPECIFIED OTHERWISE)

ELIGIBILITY CATEGORY 2 –Plant Closure/Substantial Layoff

2.

- a) Has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure/substantial layoff a plant, facility, or enterprise;

OR

- b) Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.

***Note: Verification of closure/substantial layoff AND individual's inclusion MUST be verified**

Verification of closure/substantial layoff:

- Bankruptcy documents, if declared under *Chapter 7*, Title 11 U.S.C. Notice of foreclosure or a similar document provided by a financial institution when such document clearly shows that a closure or mass layoff will occur as a result of its issuance
- Review of a printed media article/announcement describing the closure/mass layoff; the copy must include the name of the medium in which published and the date of publication
- Statement from the employer or union representative
- Statement from the employer's bank official, attorney, supplier, accountant, or another knowledgeable individual
- Review of a **qualifying** WARN notice provided by the employer or authorized representative
- Telephone Verification
- Self-Attestation

Verification of individual's inclusion in closure/substantial layoff

- 1) Review of other **specific** notice to employee of intent to close/lay-off
 - 2) Unemployment Insurance Form 501 (Separation Statement)
- Telephone Verification
 - Self-Attestation
 - Recent pay stub (closure only)

DISLOCATED WORKERS (continued)

ELIGIBILITY CRITERIA

(Verify each criterion unless specified otherwise)

ACCEPTABLE DOCUMENTATION

(Only one document from this column per eligibility criterion is required UNLESS SPECIFIED OTHERWISE)

ELIGIBILITY CATEGORY 3 – Self-employed

3. Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is **unemployed** as a result of general economic conditions in the community in which the individual resides or because of natural or catastrophic disasters.

Note: Verification Of Business Closure AND Economic Conditions Or Natural/Catastrophic Disaster MUST Be Verified

Verification Of Business Closure:

- Bankruptcy documents listing both the name of the business and the applicant's name
- Notice of foreclosure
- Failure of business documents
- Review of a printed media article/announcement describing the closure/mass layoff; the copy must include the name of the medium in which published and the date of publication
- Loan Application Rejection
- Phone Verification
- Self-Attestation

Verification of Economic Conditions or Natural/catastrophic disaster:

- Documentation of Natural/Catastrophic Disaster
- Closure/RIF of Supplier or Consumer
- High Levels of Unemployment or Decline in Occupational Demand
- Telephone Verification
- Self-Attestation

ELIGIBILITY CATEGORY 4 –Displaced Homemaker – See Registration Supervisor

4. Is a displaced homemaker.

A Displaced Homemaker is an individual who has provided unpaid services to family members in the home and who:

- Has been dependent on the income of another family member but is no longer supported by that income;

and

- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

- Self-attestation
- Public assistance records
- Court records
- Divorce Papers
- Bank records
- Spouse's layoff notice
- Spouse's death record

DISLOCATED WORKERS (continued)

ELIGIBILITY CRITERIA

(Verify each criterion unless specified otherwise)

ACCEPTABLE DOCUMENTATION

(Only one document from this column per eligibility criterion is required UNLESS SPECIFIED OTHERWISE)

ELIGIBILITY CATEGORY 5 – Spouse of a Member of the Armed Forces

5. (A) Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), **and** who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;
OR

(B) Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

- Military Transfer Papers
- Employer Verification
- Phone Verification
- Self-Attestation

WIOA Services for Adults and Dislocated Workers

Basic Career Services

- Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs.
- Outreach, intake (including identification through the state's Worker Profiling and Reemployment Services system of unemployment insurance (UI) claimants likely to exhaust benefits), and orientation to information and other services available through the one-stop delivery system.
- Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs.
- Labor exchange services, including the following:
 - Job search and placement assistance, and, when needed by an individual, career counseling, including the following:
 - Provision of information on in-demand industry sectors and occupations [as defined in WIOA Section 3(23)].
 - Provision of information on nontraditional employment
- Provision of referrals to and coordination of activities with other programs and services, including those within the one-stop delivery system and, when appropriate, other workforce development programs.
- Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including the following:
 - Job vacancy listings in labor market areas.
 - Information on job skills necessary to obtain the vacant jobs listed.
 - Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.
- Provision of performance information and program cost information on eligible providers of training services by program and type of providers.
- Provision of information about how the Local Area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system.
- Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including (1) child care, (2) child support, (3) medical or child health assistance available through the state's Medicaid program and Children's Health Insurance Program, (4) benefits under the SNAP, (5) assistance through the earned income tax credit, (6) housing counseling and assistance services sponsored through the U.S. Department of Housing and Urban Development, (7) and assistance under a state TANF program, and other supportive services and transportation provided through that program.
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
- Provision of information and assistance regarding filing claims under UI programs, including meaningful assistance to individuals seeking assistance in filing a claim:
 - Meaningful assistance means providing assistance as follows:
 - On-site using staff who are properly trained in UI claims, filing, and/or the acceptance of information necessary to file a claim (note that, staff providing UI assistance may be UI, Wagner-Peyser, or other America's Job Center of California (AJCC) partner staff members who have been properly trained to provide this type of assistance and service. Note that, questions, advice, or decisions that could affect a claimant's eligibility should only be handled by UI program staff).
 - By phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

- The costs associated in providing meaningful assistance may be paid for by the state's UI program, the WIOA adult or dislocated worker programs, the Wagner-Peyser Employment Service, or some combination thereof these funding sources.

Individualized Career Services

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include the following:
 - Diagnostic testing and use of other assessment tools.
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, eligible training providers.
- Group and/or individual counseling and mentoring.
- Career planning (e.g. case management).
- Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training, in some instances preapprenticeship programs may be considered as short-term pre-vocational services. • Internships and work experiences that are linked to careers. •
- Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, or training, or employment.
- Financial literacy services.
- Out-of-area job search assistance and relocation assistance.
- English language acquisition and integrated education and training programs.

Follow-Up Services

Follow-up services must be made available, as appropriate—including counseling regarding the workplace—for participants in adult or dislocated worker activities who are placed in unsubsidized employment for a minimum of 12 months after the first day of employ

Training Services

Training services are subject to priority of service, and consist of the following:

- Occupational skills training, including training for nontraditional employment.
- On-the-job training.
- Incumbent worker training.
- Programs that combine workplace training with related instruction, which may include cooperative education programs. Training programs operated by the private sector.
- Skill upgrading and retraining.
- Entrepreneurial training.
- Transitional jobs.
- Job readiness training provided in combination with another training service.
- Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with another training service.
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.