



POLICY TO DETERMINE ELIGIBILITY FOR THE PROGRAM OF ADULT AND DISLOCATED WORKERS

I. INTRODUCTION

The Workforce Innovation and Opportunity Act (WIOA, for its English acronym) is addressed to allow people access to opportunities of employment, education, training, and support services that they need to be successful in the labor market. The adults and dislocated workers could receive the following services in the One-Stop Center System:

- Basic Career Services
- Individual Career Services
- Training Services

Eligibility will be determined for the adult and dislocated workers that receive services additional to that of self-service or general information, and they will be registered in the corresponding Program.

II. LEGAL BASE

Section 3 (2), (15) and (63); Section 134 (b) and (c); The Workforce Innovation and Opportunity Act (WIOA, for its English acronym)

Sections 680.100 to 680.160 and 680.650 of the Workforce Innovation and Opportunity Act Regulation (WIOA, for its English acronym)

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“Training and Employment Guidance Letter” (TEGL) No. 19-16 - “Guidance on Servicers Provided through the Adult and Dislocated Worker Program under The Workforce Innovation and Opportunity Act (WIOA) and the Wagner Peyser Act Employment Service (ES), as amended by Title III of the WIOA for implementation of the WIOA Final Rules”, of March 1, 2017

“Training and Employment Guidance Letter No. 10-09, issued by the Federal Government Employment and Training Administration, on November 19, 2009: “Implementing Priority of Services for Veterans and their Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the US Department of Labor (DOL)”

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

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III. GENERAL REQUIREMENTS FOR ADULTS AND DISLOCATED WORKERS

1. US citizenship, legal, permanent residence and/or being authorized to work in the United States

Evidence Required in the File – copy of Birth Certificate, Naturalization Certificate, Passport, or Valid Residence Card

2. Registration in the Selective Service

The male client must be registered in the selective service of the United States Armed Forces within thirty (30) days following his birthday number eighteen (18). The selective service will accept late inscriptions but will not accept them once the male client has reached twenty-six (26) years of age. This applies to male clients born after December 31, 1959.

Evidence Required in the File – letter or selective service card , “acknowledgement letter,” Veteran DD-214, telephonic verification, electronic verification

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Note: The only persons excluded from this requirement will be those that present evidence of the following circumstances:

- Having been confined in a health, mental or corrective institution among the age of 18 to 26 years
- Foreigners that have arrived at the United States and its territories, after reaching the inscription age.

IV. SPECIFIC REQUIREMENTS FOR ADULTS

Age: Being 18 years of age or more

Evidence Required in the File – copy of Birth Certificate, Driving License, Federal, State, or Local Identification Card, Passport, or Valid Residence Card

In Section 134 (c) (3) (E), in regard to the individual career services and the training service aimed at adults, funded by Title I-B), it is established that the following individuals will receive priority:

First: The veterans and their eligible spouses that are beneficiaries of public assistance benefits, that have low income, or basic skills deficiency will receive the first priority for services provided with the Adult Program funds

Second: Those individuals that are not veterans, or their eligible spouses, and are included in the priority groups of the WIOA Adult Program, in relation to the job and training activities, those that receive public assistance benefits, or others with basic skills deficiency

Third: Veterans or their eligible spouses that are not included in the WIOA priority groups

Fourth: Those individuals that are not included in the WIOA for the Adult Program

To evaluate the basic skills, valid and appropriate instruments for the target population will be used, and the corresponding notations will be made in the participant's file.

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V. SPECIFIC REQUIREMENTS FOR DISLOCATED WORKERS

In addition to complying with the eligibility general requirements and the participation requirements for the individual career services and training services, the eligibility of all the persons that receive services funded by the Dislocated Workers Program will be determined based on the following categories:

- A. The person has been terminated or was suspended, or has received an employment termination or suspension notification, and:
 - a. Is eligible for, or has depleted their rights to receive unemployment insurance compensation due to insufficient earnings or because the employer is not covered by the workers compensation law; and
 - b. It is unlikely that the person returns to the industry or occupation from which they were terminated or suspended.
- B. The person has been terminated or suspended or has received an employment termination or suspension notification as a result of a permanent shut down, a substantial suspension in a plant, physical facility, or enterprise.
 - a. Is employed in a physical facility in which the employer has published a general announcement that the enterprise will shut down in a term of 180 days
 - b. If the announcement is a general one (which does not specify when will the closure happen), they could receive career and support services.
- C. The person is self-employed (as a farmer, rancher, or fisher, among others), but is unemployed as a result of the general economic conditions of the communities where they reside or due to natural disasters.
- D. The person is a dislocated housewife – an individual that has been offering unpaid services at home to their family members, and:
 - a. Has depended on another family member's income but does not have said income anymore.
 - b. Is the spouse or a dependent of an Armed Forces member, in active service, and the family income has been significantly reduced.

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- c. Is unemployed or underemployed and has difficulty to obtain a job or advance in the employment.
- E. The person is the spouse of a member of the Armed Forces.
 - a. The person is the spouse of a member of the Armed Forces in active service and has lost their employment as a result of relocation.
 - b. The person is the spouse of a member of the Armed Forces in active service, is unemployed or underemployed, and has difficulty to obtain a job or advance in the employment.

Evidence Required in the File – To certify the eligibility determination the following evidence could be considered: Employer Certification, Unemployment Insurance records that document the employment conditions, Income Tax Return, Divorce Decree, Death Certificate, Military Service Database Cross Reference, Notations of the Career Planner, or any other document that evidences the condition.

VI. ELIGIBILITY REVISION

The authorized official will fill out the revision checklist and the eligibility verification to make sure that all the eligibility criteria and applicable categories were met.

VII. APPROVAL AND VALIDITY

This public policy will take effect immediately as of its approval. It will be the Executive Director's responsibility to inform the personnel within the five (5) days after its approval.

[Signed] _____
Rafael Aparicio Cesani
Local Board President

April 25, 2017
Date