



## **PUBLIC POLICY OF SERVICES TO UNDEREMPLOYED INDIVIDUALS**

### **I. INTRODUCTION**

The Labor Development Local Board is responsible of establishing policy that is addressed to define when an individual is underemployed in order to determine if they are eligible to participate in the activities of Title 1-B of the Workforce Innovation and Opportunity Act (WIOA, for its English acronym.) The services and activities are addressed to help them obtain and/or retain a job that allows them to be self-sufficient.

### **II. LEGAL BASE**

The Workforce Innovation and Opportunity Act (WIOA, for its English acronym), Sections 134 (a) (3) (xii), and 134 (c) (3) (E)

“Federal Register” Vol. 81 No. 161, Sections 680.140 (b) (iii); 680.710 (a); 680.770 (a)

“Training and Employment Guidance Letter WIOA”: (TEGL) 19-16 issued by the Training and Employment Program ascribed to the Federal Labor Department on March 1, 2017

### **III. UNDEREMPLOYED INDIVIDUAL**

1. An underemployed individual is defined as:
  - a. A part-time employee that is searching for a fulltime job.
  - b. An employee that is in an inadequate job position, in comparison to the skills and training this person has.

- c. An employee classified as a low-income individual, as defined by Section 3 (36) of the WIOA, and that:
    - i. Receives, or in the last six (6) months has received, or is a member of a family that receives, or in the last six (6) months has received supplementary nutritional assistance from the Program established under the Food and Nutrition Act of 2008, the TANF Program or other type of public assistance based on income level
    - ii. Belongs to a family group whose income does not exceed the standard poverty level or 70% of the lower living standard income level
    - iii. A homeless, as defined in Section 41403 (6) of the Federal Violence Against Women Act of 1994
    - iv. A disabled person whose personal income meets Clause (b) requirements but belongs to a family that does not meet said income requirement.
  - d. Individuals that are employed, but their income is not enough as compared to their previous job income. The Local Board determines that their income is enough when the annual salary earned in said job represents at least 85% of the annual salary earned in their most recent job.
2. An underemployed individual that complies with the definition of low income can receive the Individualized Career Services and those training services in a priority base in relation to the Adult Program.

#### **IV. SERVICES**

Applicants will be required to meet all the evidenced general eligibility requirements of each Program, as required in the established procedures.

The underemployed individuals that are classified as low-income individuals will receive the career and training services in a priority base, according to their needs and skills, as established in Section 134 (c) (3) (E) of the WIOA

**V. 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

March 21, 2017  
Date