



# Spokane Area WORKFORCE DEVELOPMENT COUNCIL

## Priority of Service Adult Intensive and Training Services and, Eligibility Determination for Adults

Workforce Investment Act Policies and Procedures

**POLICY #:** 500-01

Date of Original Policy: February 14, 2007

Effective Date: February 14, 2007

**Revised: June 5, 2007**

### **BACKGROUND:**

Any adult may access the self-service and informational core services through the WorkSource System without the need to be determined eligible for registration. Services beyond self-service can only be provided through WIA funding when an adult meets the eligibility requirements of WIA. Eligibility determinations are made on a case-by-case basis at the local level in accordance with local policies and procedures.

WIA section 134 (d)(4)(E), states that in the event that funds allocated to a local area for adult employment and training activities are limited, priority for intensive and training services funded with Title I-B Adult funds must be given to recipients of public assistance and other low-income individuals in the local area.

Second priority shall be given to Veterans, as per the "Jobs for Veterans Act" Public Law 107-288 requirements.

### **POLICY:**

Program operators shall ensure that all adults enrolled in a WIA funded Adult programs are eligible and meet the priority of service criteria when enrolled for intensive and training services. Being determined "eligible" for services funded under WIA Title 1-B does not entitle an individual to receive WIA Title 1-B services.

Adults meeting eligibility criteria may be enrolled to receive core services only.

Adults who meet Priority of Service may be enrolled to receive intensive and training services if they are:

1. *Unemployed adults* who have received at least one core service and have been unable to obtain employment through core services and who are determined to need intensive and/or trainings services to obtain employment.
2. *Employed adults* who are not earning a self-sufficient wage as defined by the Spokane Area Workforce Development Council and who have received at least one self-service core service and have been determined to need intensive and/or trainings services to obtain employment that leads to self-sufficiency.

The determination to provide services shall be made on a case-by-case basis at the local level depending upon the needs and circumstances of each individual and the local economic conditions.

There is no federal, state or locally required minimum amount of time that a participant must spend in core or intensive services.

**ELIGIBILITY:**

To be eligible to receive Adult services in staff-assisted core, intensive and/or training services, individuals must meet the following eligibility criteria listed as WIA Eligibility Criteria: a. (age), b. (citizenship), and c. (selective service) in *Attachment One - SAWDC Adult Eligibility Criteria & Documentation*:

1. Must be at least 18 years of age. (WIA Sec. 101(1))
2. Participation shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized to work in the U.S. (WIA Sec. 188 (a)(5))
3. Must not be in violation of the Military Selective Service Act. (WIA Sec.189 (h))

**PRIORITY FOR INTENSIVE AND TRAINING SERVICES:**

Individuals who are eligible for intensive and training services to obtain employment must meet the WIA Eligibility Criteria: a, b, and c, **Plus d** as listed in *Attachment One - SAWDC Adult Eligibility Criteria & Documentation*.

**1. FIRST PRIORITY**

First priority shall be given to recipients of public assistance and other low-income individuals who are also veterans; and then public assistance recipients and low-income non-veterans. (Veterans must meet program eligibility requirements in order to obtain priority of service). (TEGL#5-03).

The term "low-income individual" means an individual who:

- A. Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- B. Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C.402)) that, in relation to family size, does not exceed the higher of:
  - the poverty line, for an equivalent period; or
  - less than 70 percent of the Lower Living Standard Income Level (LLSIL), for an equivalent period;
- C. 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.);
- D. Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);
- E. Is a foster child on behalf of whom State or local government payments are made; or
- F. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

Veterans is defined as: (WIA Policy No. 3641)

- A. A veteran who is an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable (WIA definition);
- B. A recently separated veteran is any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service (WIA definition); or
- C. The spouse of:
  - A veteran who died of a service connected disability;
  - a member on active duty who ( at time of spouse's application) is listed as missing in action, captured in the line of duty, or forcibly detained; or
  - A veteran with a total disability from a service connected disability or one who died while being evaluated for it.

## 2. SECOND PRIORITY

Second priority of services shall be given to individuals with income under 175 percent of poverty as indicated in the SAWDC Income Guidelines policy **and** for whom a WIA adult program operator determines that the individual is in need of and can benefit from services **and** has a barrier to employment. The program operator must document the barrier to employment on the Eligibility Verification Form. The number of participants enrolled by any one adult program operator may not be more than **forty percent (40%)** of the total number of participants enrolled.

### **ELIGIBILITY DOCUMENTATION PROCEDURE:**

WIA Program Operators shall complete a 100% verification of eligibility. Participants must be eligible on the first day of enrollment into a WIA funded service. *Attachment One, the Adult Eligibility Criteria & Documentation* form provides a list of eligibility criteria and examples of acceptable documentation.

Participants who have a documented disability may be considered a family of one when calculating income. Documentation of a disability or any notes that reference the disability must be kept in a separate, locked file. The Eligibility Verification Form should note to see the case manager for additional information.

To enroll an individual into a WIA funded activity, Program Operators shall follow these steps to ensure that a correct determination has been:

- Step 1** — Complete an application and obtain signatures as appropriate.
- Step 2** — Complete the Eligibility Verification Form (*Attachment Two*), check eligibility status and sign. Copies of supporting documentation must be filed behind this form and the signed application in a participant file.
- Step 3** — A staff person, other than the one who completed the application and initial eligibility, must review the application, supporting documentation and the Eligibility Verification Form to validate whether a correct determination has been made.

**PRIORITY FOR DOCUMENTATION:**

- First** — Documents as listed on the Adult Eligibility Criteria & Documentation form (*Attachment One*).
  
- Second** — Collateral statement (*Attachment Three*) that is signed by the applicant and another individual who is knowledgeable of the applicant's situation along with an explanation as to why other documentation was not available. *Prior approval from the WDC is required.*
  
- Third** — Applicant self-certification (*Attachment Three*). An explanation must be written in the self-certification explaining the reason why the other forms of documentation are not available. *Prior approval from the WDC is required.*

**EQUAL OPPORTUNITY:**

The SAWDC is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are available upon request to persons of disability.

**ATTACHMENTS:**

- Attachment A – Eligibility Criteria & Documentation List
- Attachment B – Eligibility Verification Form (required in each client file)
- Attachment C – Self Certification Statement

**REFERENCE:**

WIA Section:

- 134 (d) (4) (E) - priority for intensive & training services
- 101(1) - definition of age for an adult
- 188 (a) (5) - prohibition on discrimination against certain non-citizens
- 189 (h) - selective service

State WIA Policy # 3636, 3640Rev.1 and # 3641

Final Rule 20 CFR Part 652: Part 660 et.al., Part 663 Subpart A, B, and C, and F, Part 663.105 and 664.215

Jobs for Veterans Act – Public Law 107-288

**SUPERSEDES**

WDC Policy C.4

**DIRECT INQUIRES TO:**

(As referenced in SAWDC Staff Composition Policy #100)

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