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Attachment A

Eligibility Policy Handbook

WIA Eligibility & Documentation Requirements

Policy # W401

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Spokane Area Workforce Development Council

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# Introduction:

This handbook is the attachment to the Spokane Area Workforce Development Council’s (SAWDC) WIA Eligibility and Documentation Policy #401. As defined in SAWDC policy #401, this handbook provides instruction concerning eligibility requirements for the Youth, Adult and Dislocated Worker Programs (WIA Title 1-B). Sections 2, 3 and 4 cover program eligibility requirements for WIA Title 1-B Youth, Adults and Dislocated Workers. Specific parameters and instruction are provided in the subsequent sections under each program. Section 5 covers additional instructions that applies to multiple (not necessarily all) programs.

The [Eligibility Matrix](#EligibilityMatrix) in Section 6 serves as a tool to review eligibility requirements for each program, including the corresponding documentation requirements.

**Acronyms**

* **CFR** - Code of Federal Regulations – 20 CFR Part 652 et al. – Workforce Investment ACT; Final Rules.
* **DOL** - Department of Labor - Employment and Training Administration. <http://www.doleta.gov>
* **ESD** - Washington StateEmployment Security Department - The department administers federal Workforce Investment Act (WIA) funds - one of the primary sources of funds for employment training in Washington. <http://wdr.doleta.gov/directives/>
* **IEP –** Individual Employment Plan
* **ISS -** Individual Service Strategy
* **ITA -** Individual Training Account
* **MIS** - Management Information Systems: A management information system (MIS) provides information that organizations require to manage themselves efficiently and effectively. Management information systems are typically computer systems used for managing five primary components: 1.) Hardware, 2.) Software, 3.) Data (information for decision making), 4.) Procedures (design, development and documentation), and 5.) People (individuals, groups, or organizations).
* **SKIES** - Services, Knowledge & Information Exchange System. Washington State database tracking platform.
* **SSMS** - Self-Service Membership System (SSMS). A data collection system installed on WorkSource resource room computers to collect job seeker self-service activity statewide; to enable seekers to self-register (or with minimal staff assistance) only once into SSMS which would also create a SKIES record and a Go2WorkSource account.
* **TEGL** - Training and Employment Guidance Letter. Information released by DOLETA.
* **WDA** - Workforce Development Areas. Each State’s Governor establish a designated local workforce investment area’s in the state to receive funding under title 1 of WIA.
* **WDC** - Workforce Development Councils. Is a group of community leaders appointed by local elected officials and charged with planning and oversight responsibilities for workforce programs and services in their area. The board is made up of a majority from the private sector, as well as leaders from labor groups, youth and adult education, and state and local government agencies.
* **WISPR** - Workforce Investment Streamlined Performance Reporting (WISPR) System. Used in Washington State for reporting and record keeping instructions for use by all grantees administering Wagner-Peyser, Jobs for Veterans State Grants, Workforce Investment Act (WIA) Title IB, National Emergency Grants, and Trade Adjustment Assistance programs funded by the United States Department of Labor.

# Definitions

* **Attachment to workforce –** Employment lasting six months or longer.
* **Authorization to work** - As specified on the Form I-9, staff must accept as evidence of employment authorization any of the documents listed on the last page of Form I-9. Individuals may present any List A document **or** a combination of a List B and a List C document. Self-attestation is not allowed.
* **Case notes –** For the purpose of Data Element Validation, case notes refer to either paper or electronic statements by staff that identifies, at a minimum, the following: a participant’s status for a specific data element, the date on which the information was obtained and the staff who obtained the information ([TEGL 28-11, Attachment A](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_28-11-Atta1.pdf)).
* **Covered Person (for Priority of Service) –** A veteran or their eligible spouse.
* **Cross-Match –** For the purpose of Data Element Validation, a cross-match requires validating staff to find detailed supporting evidence for the data element in a database ([TEGL 28-11, Attachment A](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_28-11-Atta1.pdf)).
* **Data Element Validation –** The federally mandated process by which the state annually assesses the accuracy of reported participant data (refer to Policy 1003 and [TEGL 28-11, Attachment A](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_28-11-Atta1.pdf)).
* **Demand-Decline List -** This list distinguishes among occupations that are "in demand, "balanced" and "not in demand" across the state and within individual workforce development areas. The list consists only of occupations that have 50 or more jobs within a designated geographic area. Each local workforce development council, in cooperation with ESD and its Labor Market Information Division, must identify occupations and skill sets that are declining and occupations and skill sets that are in high demand.
* **Eligible Spouse (of a Veteran) –** The spouse of any of the following (JVA Section 2(a)):

1. Any veteran who died of a service-connected disability;
2. 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:
3. missing in action;
4. captured in line of duty by a hostile force; or
5. forcibly detained or interned in the line of duty by a foreign government or power;
6. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or
7. Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.

* **Employment that Leads to Self-Sufficiency** (Dislocted Worker program) **–**  Employment lasting more than six (6) consecutive months which provides the worker a wage that is equal to or greater than 90% of his/her wage at the time of dislocation.
* **Incumbent worker -** The Workforce Training and Education Coordinating Board defines the term incumbent worker since incumbent worker training is an allowable statewide activity under WIA section 134(a)(3)(A)(iv)(I). Funding for incumbent worker training must be drawn from the State’s combined adult, youth, and dislocated worker ‘‘15-percent funds.’’ Incumbent Workers may not be served with formula funds. An employed dislocated worker may be served in formula funded programs when all eligibility requirements are met as defined later in this policy. An incumbent worker does not necessarily have to meet the eligibility requirements for Intensive and Training services. (20 CFR 665.220)
* **Individual Employment Plan (IEP) -** Adult/Dislocated Worker Programs: Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals. (Section 134(d)(3)(C)
* **Individual Service Strategy (ISS) -** Youth Program: Development of individual service strategies for each participant that shall identify an employment goal (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives and appropriate services for the participant taking into account the assessment conducted. (Sec 129(c)(1)).
* **Individual Training Account (ITA) -** Eligible Adults and Dislocated Workers are given financial power to use ITA’s at qualified institutions. These ITA’s supplement financial aide already available through other sources. The SAWDC policy will define funding limits.
* **Low-income individual -** (WIA Section 101(25)) means an individual who:

1. Receives, or is a member of a family that receives, cash payments under a Federal, State or local income-based public assistance program;
2. 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 above, 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:
   * 1. the poverty line, for an equivalent period; or
     2. less than 70 percent of the Lower Living Standard Income Level (LLSIL), for an equivalent period;
3. 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.);
4. 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):
5. Is a foster child on behalf of whom State or local government payments are made; or
6. 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 1 or 2 above, but who is a member of a family whose income does not meet such requirements.

* **Rapid Response -** The Workforce Investment Act requires statewide rapid response activities to assist employers and impacted workers as quickly as possible following the announcement of either a permanent closure or mass layoff, or a natural or other disaster resulting in a mass job dislocation. Rapid response layoff orientations are informational sessions for impacted employees where they can learn about unemployment benefits, job search assistance, and training opportunities. State policy 3930 Rev. 2 <http://www.wa.gov/esd/1stop/policies/title1b.htm>
* **Rapid Response List –** List of attendees at a Rapid Response event created by the WorkSource staff member(s) hosting the event.  The use of this list aligns with the intent for ‘verification from the employer’ or ‘notice of layoff’, all of which provide an actual name connected to a dislocation. Can be used to document Dislocated Worker eligibility.
* **Self-Attestation –** Self-attestation (also referred to as a participant or applicant statement) occurs when an individual states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. The key elements for self-attestation are: (a) a participant (applicant) identifying his or her status for a permitted data element in Section 6 and (b) signing and dating a form attesting to this self-identification (with a disclaimer concerning the self-identification). Refer to the Self Attestation forms at the back of this handbook or access them individually as attachments to SAWDC Policy WIA Eligibility & Documentation requirements.
* **Sequence of services (tiers of service) –** A tiered service delivery approach under the WIA Title 1-B Adult and Dislocated Worker Programs. The levels of service are core, intensive, and training, with service at one level being a prerequisite to moving to the next level. This sequence of service prerequisite is in addition to determination of need and program eligibility by staff.
* **State MIS –** For the purpose of Data Element Validation,State MIS refers to specific, detailed information that is stored in the state’s information system (SKIES) that supports a data element ([TEGL 28-11, Attachment A](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_28-11-Atta1.pdf)).
* **Stopgap employment –** Temporary work an individual accepts only because they have been laid off from the customary work for which their training experience or work history qualifies them.
* **Substantial layoff -** Notice of termination or layoff of 25%, or fifty (50) of a company's workforce which is not the result of a plant closing and which results in an employment loss at a single site of employment during any 30-day period.
* **Underemployed -** Underemployed means an individual who is (1) working part time but desires full-time employment; or (2) working in employment not commensurate with the individual's demonstrated level of educational attainment. ([TEGL 14-00 Change 1](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1343))
* **Unemployed as a result of general economic conditions -** Individuals who are now unemployed, including from self-employment, due to economic conditions in the community in which s/he resides or because of natural disasters. General economic conditions can include the failure, closure or substantial layoffs in one or more businesses in the area that had a direct effect on the individual's unemployment.
* **Unlikely to return to a previous industry or occupation -** Status of an unemployed worker as having limited opportunities for employment or re-employment. This could include personal and/or confidential information that needs to be determined on a case-by-case basis. Examples include but are not limited to:

1. The industry and/or occupation are in decline or the job has become obsolete.
2. The individual is not able to re-locate to an area that has jobs in demand for which s/he is qualified.
3. The individual is not able to work in another capacity in the occupational area from which s/he was dislocated because of physical or mental limitations. An individual may have started out in an industry performing physically or mentally demanding jobs but is no longer capable of performing the essential requirements of the job.

Per TEGL 22-04 and Section 101(9)(A)(iii) - Is unlikely to return to a previous industry or occupation.

Generally, overall work history of a Military Reserve or National Guard member is taken into account, which could include most recent and past industries and occupations. Length of time in the military may also be relevant to make this determination since that would also be the previous industry.

* **Veteran –** For the purpose of providing Priority of Service (using the broad definition) and dislocated worker eligibility, veteran means 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 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes. 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).
* **Wagner-Peyser/Labor Exchange** - The Wagner Peyser Act - a nationwide system of public employment offices known as the Employment Service which is part of the One Stop services delivery system.

# References

* Workforce Investment Act (WIA)
* 20 CFR Part 652 et al.
* Jobs for Veterans Act (JVA)
* [TEGL 7-99](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1201) – Registration
* [TEGL 14-00, Change 1](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1343) – Underemployed definition
* [TEGLs 22-04](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1699), [22-04 Change 1](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2540) – Military Service Members & Spouses
* [TEGL 17-05](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2195) – Common Measures & Program Exit
* [TEGL 10-09](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816) – Priority of Service
* [TEGL 11-11 Change 2](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8779) – Selective Service
* [TEGL 9-12](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9779) – Human Trafficking
* [TEGL 11-12](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6926) – Wagner Peyser funds
* [Policy 1003 Revision 1, Data Element Validation](http://www.wa.gov/esd/1stop/policies/systems.htm)
* [Policy 1009 Revision 1, Priority of Service for Veterans and Eligible Spouses](http://www.wa.gov/esd/1stop/policies/systems.htm)
* [Policy 1019, Eligibility Guidelines and Documentation Requirements](http://www.wa.gov/esd/1stop/policies/systems.htm)
* [Policy 3415 Revision 1, Records: Retention and Public Access](http://www.wa.gov/esd/1stop/policies/title1b.htm)
* [Policy 3080 Revision 1, Use of the Eligible Training Provider List (ETPL) Under TAA](http://www.wa.gov/esd/1stop/policies/documents/trade2009/policies/3080Rev1.pdf)
* [WIN 0027 Change 2, WIA001 Report and Discontinued Use of UI Guide Screens](http://www.wa.gov/esd/1stop/policies/state_guidance.htm)
* [WIN 0041, Address Confidentiality Program](http://www.wa.gov/esd/1stop/policies/state_guidance.htm)
* [SAWDC Policy: WIA Eligibility & Documentation Requirements](http://www.wdcspokane.com/wia-funded-policies)
* [SAWDC Policy: Management of Medical and Disability-Related Information](http://www.wdcspokane.com/general-policies)
* [SAWDC Policy: Priority of Service for Veterans and Eligible Spouses](http://www.wdcspokane.com/worksource-system)
* [SAWDC Policy: Income Guidelines](http://www.wdcspokane.com/wia-funded-policies)

1. **Alignment of Wagner-Peyser and WIA Title 1-B Services**
   1. **Purpose**

The underlying notion for the One-Stop system is the coordination of fully integrated programs, services and governance structures so that a job seeker has access to a seamless system of workforce investment services. This intent is accomplished through the establishment of a common tier of services (core, intensive and training) that is consistent across federally funded workforce development programs. In addition, DOL/ETA has furthered its integration efforts by establishing common performance metrics ([TEGL 17-05](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2195)) and developing an integrated performance reporting system (WISPR).

States and the SAWDC are encouraged to utilize common intake, case management and job development systems in order to take full advantage of the One-Stops’ potential for efficiency and effectiveness (20 CFR Background, WIA Principles, Page 49295). WIA Title 1-B programs and Wagner-Peyser are mandated to provide the same set of core services found at WIA Section 134(d)(2). There is a natural alignment of service delivery under Wagner-Peyser since all individuals are eligible for these services.

NOTE: Personal records of WIA registrants will be private and confidential and will not be disclosed to the public. Refer to [Policy 3415 Rev. 1](http://www.wa.gov/esd/1stop/policies/title1b.htm) and [RCW 50.13](http://apps.leg.wa.gov/rcw/default.aspx?cite=50.13) for additional guidance on data privacy and security.

* 1. **Core Services**

The intent of WIA is to provide universal access to certain services prior to intensive or training services under WIA Title 1-B. DOL/ETA encourages the referral of Wagner-Peyser core and intensive service recipients to Title 1-B programs for intensive and/or training services when appropriate ([TEGL 11-12](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6926)).

Wagner-Peyser (Labor Exchange) core services can be provided to all job seekers and employers. Labor Exchange core services are available through self-services, facilitated self-help services and staff-assisted services to ensure universal access (20 CFR 652.207(b)(2)). Although Labor Exchange services are available to all individuals, only individuals who are legally entitled to work in the U.S. can obtain employment. To ensure that individuals who apply or are referred are legally entitled to work in the U.S., SKIES and SSMS registration both require customer attestation to legal entitlement to work in the United States.

In addition to universal access under Labor Exchange, certain core services (e.g., self-service or informational activities) can be provided universally with WIA Title 1-B funding. Individuals must be determined eligible and enrolled to receive WIA Title 1-B funded core services beyond self-service or informational activities. These services are offered under WIA Title 1-B (in addition to Wagner-Peyser) to ensure seamless service delivery in the One-Stop Center to minimize referrals and to ensure leveraging of resources between programs. The types of services that can be provided without enrolling an individual are described at 664.140(2): “Self-service and informational activities are those core services that are made available and accessible to the general public, that are designed to inform and educate individuals about the labor market and their employment strengths, weaknesses, and the range of services appropriate to their situation, and that do not require significant staff involvement with the individual in terms of resources or time.” [TEGL 17-05](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2195) clarifies that “significant staff involvement” includes staff’s assessment of a participant’s skills, education or career objectives to assist the participant in making a decision or accessing information, compared to staff providing a participant with readily available information that does not require an assessment. NOTE: This policy covers basic eligibility requirements for Wagner-Peyser, including Priority of Service (POS) requirements for Covered Persons (using the broad definition of veteran – see Section 5.1). For verification of veteran status, the Wagner-Peyser program has specific requirements. For a complete overview of services for veterans (using the standard definition) under Wagner-Peyser, including verification of eligibility for these services, please refer to [Services for Veterans – 4030](http://www.wa.gov/esd/1stop/policies/documents/laborexchange/veterans/4030.docx).

* 1. **Intensive Services**

Intensive services may be provided under both the Wagner-Peyser Act and WIA Title 1-B.

Intensive services funded under the Wagner-Peyser Act are available universally to all jobseekers and employers. All Wagner-Peyser funded services must be provided by state merit staff (20 CFR 652.215 and [TEGL 11-12](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6926http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=6926)).

Adults and dislocated workers who receive services funded under WIA Title 1-B, other than core self-service or informational activities, must be registered and determined eligible. Participants receiving intensive services funded under WIA Title 1-B must be determined eligible and in need of additional assistance beyond core services in order to obtain or retain employment.

Program operators shall ensure that all participants enrolled in WIA-funded 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.

To be eligible to receive intensive and training services, adults and dislocated workers who meet Priority of Service must also meet the following criteria:

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 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.

NOTE: WIA youth services are not necessarily tiered. WIA Title 1-B provides employment and training services for economically disadvantaged youth. Youth establish educational and career goals and work toward them via WIA-funded activities.

* 1. **Training Services**

Training services are funded and provided to jobseekers under the WIA Title 1-B programs. Participants receiving training services funded under WIA Title 1-B must be registered, determined eligible and in need of additional service, beyond core and intensive, in order to obtain or retain employment (20 CFR 663.310).

To receive training services, all adults and dislocated workers must receive at least one WIA Title 1-B intensive service before the individual is eligible to receive training service funded by WIA 1-B. The case file must contain a determination of need for WIA 1-B training services as identified in the IEP, comprehensive assessment or through any other intensive service received.

Training services through WIA Title 1-B may be made available to eligible adults and dislocated worker participants who:

1. Have met the eligibility requirements for intensive services, have received at least one intensive service and have been determined to be unable to obtain or retain employment through such services.
2. Have been determined (via an interview, evaluation or assessment, and case management) to be in need of WIA Title I-B training services and to have the skills and qualifications to successfully complete the selected training program.
3. Select a program of training that is directly linked to the employment opportunities either in the Spokane Area or in another area to which the customer is willing to relocate.
4. Are unable to obtain grant assistance from other sources to pay the costs of training as described in 20 CFR 663.310(a)(4).

There is no federal, state or locally required minimum amount of time that a participant must spend in core or intensive services before receiving WIA funding for the next level.

Training must be identified as in-demand (or balanced) on the current SAWDC Demand/Decline list. A copy of the page from the Demand list is required in the client file. The approval of training services under WIA is conditioned upon the participant receiving training in an Eligible Training Provider (ETP) approved program. TAA Participants who are co-enrolled with WIA and approved for non-listed ETP training must be counseled and advised as to their inability to qualify for any training services funded by the Workforce Investment Act (WIA) Dislocated Worker and Adult Programs should they pursue their training from a non-approved Eligible Training Provider.

NOTE: Staff determines when it is appropriate to progress adults and dislocated workers to the next level of service (i.e. from core, to intensive, to training) in alignment with 20 CFR 663.220 and 310.

1. **Youth** **Program**
   1. **Youth Program Requirements**

Individuals must meet the following eligibility guidelines for the Youth Program

* U.S. citizen or otherwise legally entitled to work in the U.S.;
* Age 14 through 21 (at time of enrollment);
* Selective Service Registration (males who are 18 or older), unless an exception is justified (see Section 5.2 for guidance on Selective Service registration).
* Low-income individual (see Section 2.2 for guidance on exceptions); and
* Is within one or more of the following categories: (see next page)

**Categories**

|  |  |
| --- | --- |
| Category 1 | Deficient in basic literacy skills |
| Category 2 | School dropout |
| Category 3 | Homeless, runaway or foster child |
| Category 4 | Pregnant or parenting |
| Category 5 | Offender |
| Category 6 | An individual, including a youth with a disability, who requires additional assistance, e.g. serious barriers to employment, to complete an educational program, or to secure and hold employment. (WIA Section 101(13) and 20 CFR 664.200).  SAWDC locally defines additional assistance as:   * 1. Having one or more disabilities, including learning disabilities   2. Personal/family substance abuse   3. Gang involved/affiliated/affected   4. Lacking affordable housing   5. Victim of domestic violence/sexual or child abuse   6. Identified social adjustment or mental health issue(s)   7. Lacking a significant or positive work history   8. Individual or member of a family that recently exhausted TANF benefits   9. “At-risk of dropping out of school” defined as:      1. One or more grade levels below the age-appropriate grade;      2. Academically deficient and/or is not making substantial progress in mastering basic skills that are appropriate for students of the same age;      3. Has at any time been a school dropout or is not attending school consistently; or      4. Determined to be at-risk by school staff based on an assessment that health, social or family problems are impairing the student’s ability to succeed in school.   10. OTHER additional assistance for education or employment not listed can be submitted to the Spokane Area Workforce Development Council (SAWDC) for consideration of approval prior to program participation. |

A youth with a disability meets the “requires additional assistance” requirement and can be considered a family of one for low-income determinations (refer to Section 5.6.2). For an overview of eligibility criteria and documentation requirements refer to Section 6 of this handbook.

* 1. **Local Definition of Low-income and Exceptions to this Requirement**

Utilizing the definition of low-income at WIA Section 101(25), the SAWDC has established income verification and what is included or excluded as income. See Section 5.6 of this handbook.

Per WIA Section 129(c)(5), the SAWDC allows services to youth who are not low-income provided that the youth served are in one or more of the six categories listed above, or are one or more grade levels below the grade level appropriate to their age. Not more than five percent of participants served in any program year (including youth carried in from prior program year(s)); under the WIA Youth Program may be individuals who do not meet the low-income criteria. This is calculated at the end of the program year for total participants served in that year.

* 1. **Out-of-School Youth**

At least 30 percent of the SAWDC’s total youth funding allocation must be used to provide activities to out-of-school youth (WIA Sec,129 (c)(4)(A)), excluding administrative expenditures (20 CFR 667.210(a)(2)).

1. **Adult Program**
   1. **Adult Program Requirements**

After receiving at least one core service and being determined in need of additional services (intensive and/or training), individuals must meet the following eligibility criteria for the Adult Program:

* + U.S. citizen or otherwise legally entitled to work in the U.S.;
  + Age 18 or older (Sec 663.110); and
  + Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Section 5.2 for guidance on Selective Service registration).

NOTE: The criteria above does not reflect low-income or prioritization requirements. Low-income requirements and corresponding prioritization guidelines do not apply unless a local determination of limited funding availability is made (refer to handbook Section 3.2 below). If funding is determined to be limited, refer to Section 5.6 for low-income determinations.

For an overview of eligibility criteria and documentation requirements refer to handbook Section 6.

* 1. **Local Determination of Funding Availability**

In the federal regulations, 20 CFR 663.600, the U.S. Department of Labor specifies that funding is generally limited and therefore directs states and the SAWDC to assure that low-income adults receive priority unless the availability of other funds can be demonstrated. The SAWDC has determined that funding is “limited” and defined eligibility and priority for services in the following section.

* 1. **Priority for Services under the Adult Program**

Because the SAWDC has determined that funding is limited, the following mandatory priority selection is established to target populations in accordance with 20 CFR 663.600. These targeted populations must first meet the eligibility requirements for the Adult Program.

The following matrix describes the order and rationale for the application of the above mentioned prioritization requirements based on the requirements in 20 CFR 663.600 and [TEGL 10-09](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816). For purposes of this section, the term “covered person(s)” refers to veterans and eligible spouses in relation to the priority of service for veterans’ requirements.

Below are the priority requirements when the SAWDC has determined funding is limited under the Adult Program:

|  |  |  |
| --- | --- | --- |
| **Priority** | **Mandatory Priority Group** | **Explanation** |
| First | Covered persons (veterans and eligible spouses) who are low-income (may include unemployed individuals) or recipients of public assistance. | Guidelines for serving covered persons ([SAWDC Policy: Priority of Service](http://www.wdcspokane.com/worksource-system)) apply within the mandatory priority criteria of low-income / public assistance recipient. |
| Second | Individuals (non-covered persons) who are low-income (may include unemployed individuals) or recipients of public assistance. | The mandatory priority criteria (low-income / public assistance) have precedence over covered persons (veterans and eligible spouses) who do not meet the mandatory priority criteria. |
| Third | Covered persons (veterans and eligible spouses) who are not low-income and are not recipients of public assistance. | Guidelines for serving covered persons [SAWDC Policy: Priority of Service](http://www.wdcspokane.com/worksource-system)) apply in the third category (individuals who are not low-income / public assistance recipients). (State policy 1009 Rev.1) |
| Fourth (optional) | The SAWDC gives fourth priority 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 mandatory priorities (if funding is limited) established by DOLETA don’t prohibit WIA adult services to only the recipients of public assistance and other low-income individuals. The WDC and the Governor may establish a process that gives priority for services to other individuals meeting eligibility criteria, as long as the mandatory priority groups are given priority. WDCs are allowed to establish additional priority groups for subsequent priority for services. |

NOTE: An adult with a disability can be considered a family of one for low-income determinations (refer to Section 5.6.2).

According to 20 CFR 663.600(d), the above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIA adult funded intensive and training services when funds are determined to be limited. The WDC may choose to serve other eligible individuals who are not low-income after first serving eligible individuals who meet the established priority selection criteria. Unemployed individuals may be considered low-income individuals (refer to handbook Sec. 5.6.1).

**Priority of Service for WIA (10%) Discretionary Grants/Contracts**

The State has determined that funds are not limited for purposes of the WIA Statewide (10%) discretionary funds. The Governor has determined that these funds shall be prioritized in the following order:

1. Eligible veterans and spouses;
2. Unemployed individuals;
3. Low-income individuals;
4. Other Washington job seekers.

As indicated by the first priority above, recipients of Discretionary Grants/Contracts will continue to provide priority selection of veterans for Intensive and Training Services as required under P.L. 107-288 “Jobs for Veterans Act” and in alignment with WorkSource Policy 1009 Rev 1. In applying this policy to 10% funded projects, veterans who are unemployed and/or low-income, have priority over all other individuals served under these projects.

1. **Dislocated Worker Program**
   1. **Dislocated Worker Program Requirements**

After receiving at least one core service and being determined in need of additional services, individuals must meet the following eligibility guidelines for the Dislocated Worker Program.

* U.S. citizen or otherwise legally entitled to work in the U.S.;
* Age 18 or older (Sec 663.110);
* Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Section 5.2 for guidance on Selective Service registration); and
* One of the Dislocated Worker categories (see the table on the following page).

NOTE: For an overview of eligibility criteria and documentation requirements refer to handbook Section 6.

In addition to the matrix on the next page, program operators should use the local definitions (as laid out in Acronyms and Definitions section of this handbook) when evaluating reasons for dislocation of individuals. In addition, further information on serving military service members and spouse is provided in the next section. This matrix is meant to provide clarity on the requirements within each Dislocated Worker category. Military Service Members (Category 5) and Spouses of Dislocated Military Service Members (Category 6) have been included as individual categories to allow for specificity, although it is commonly understood that these categories fall under the General Dislocation category (1). Refer to handbook Section 5.7 for guidance related to the impact of Washington’s Marriage Equality Act.

It should be noted that 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. Stopgap employment means work an individual does only because he has lost the customary work for which his training, experience or work history qualifies him (see “underemployed”). Employment would be considered "stopgap" if the salary were substantially below the salary of the individual's primary occupation and/or if he 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. See “Stopgap Employment” and “Employment that Leads to Self-Sufficiency” in the Acronyms and Definitions section of this handbook.

* 1. **Serving Military Service Members and their Spouses**
     1. **Military Service Members (Dislocated Worker – Category 5)**

Refer to handbook Section 6 for a breakdown of eligibility criteria and documentation requirements.

A military service member who is separated from military service under conditions other than dishonorable, or who receives a notice of future separation may be eligible under the WIA Dislocated Worker Program based on the “termination” criteria. This may include National Guard or Reserve members who have been discharged from active duty service but not necessarily from other reserve commitments, such as training.

Veterans and other covered persons determined eligible for the Dislocated Worker Program are given priority for services according to the Jobs for Veterans Act and WorkSource ([SAWDC Policy: Priority of Service](http://www.wdcspokane.com/worksource-system)).

The following serves as an outline of Dislocated Worker eligibility criteria as it applies to military service members:

* Section 101(9)(A)(i) - Has been terminated or laid off or received notice of termination or layoff.

[TEGL 22-04](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1699) states that a discharge from the military under honorable circumstances meets the “termination” criterion. A DD-214 form is the most common documentation used to determine discharge status.

Washington has determined that still-active, transitioning military service members may also qualify for Dislocated Worker services. While these individuals may be *eligible* to receive WIA Dislocated Worker services and funds, they would not be considered “veterans” for the purposes of DOL reporting.

For the purposes of serving still-active transitioning service members under the “notice of termination or layoff” eligibility criterion, documentation must align with the Data Element Validation requirement for “Date of Actual Qualifying Dislocation” (refer to handbook Section 6).

Separation from Military –For a member of the Army, Navy, Air Force or Marine Corps who was on active duty or an individual on full-time National Guard duty, it is DOL policy that being discharged (under honorable circumstances), either voluntarily or involuntarily, terminates an employment relationship between an individual and the military and thus falls within the scope of the termination component of the WIA definition of dislocated worker.

SAWDC established a designated timeframe of up to 18 months prior to planned separation during which service members are eligible to receive Dislocated worker services. Length of service to qualify an individual for such discharges or separations under WIA guidance may be as few as one day of service.

* Section 101 (49)(B) - Recently separated veteran. The term “recently separated veteran'' means any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service.
* Section 101(9) (A)(ii)(I-II) - Is eligible for unemployment insurance (UI) benefits or has exhausted UI entitlement; or has had an employment duration that shows attachment to the workforce. Individual circumstances affect whether a returning Military Reserve or National Guard member is eligible for UI benefits. For example, the Uniformed Services Employment and Reemployment Rights Act provides reemployment rights to many veterans who left their civilian jobs to serve. UI state law (RCW 50.04.075) has slight differences in the definition of a dislocated worker, but UI recognizes that a discharge from the military under honorable circumstances meets the “termination” component of state law.
* Section 101(9)(A)(iii) - Is unlikely to return to a previous industry or occupation.

Generally, overall work history of a Military Reserve or National Guard member is taken into account, which could include most recent and past industries and occupations. Length of time in the military may also be relevant to make this determination since that would also be the previous industry.

* + 1. **Spouses of Military Service Members (Dislocated Worker - Category 6)**

Refer to handbook Section 6 for an overview of eligibility criteria and documentation requirements.

[TEGL 22-04 Change 1](http://www.google.com/url?sa=t&rct=j&q=tegl%2022-04&source=web&cd=1&cad=rja&ved=0CC4QFjAA&url=http%3A%2F%2Fwdr.doleta.gov%2Fdirectives%2Fattach%2FTEGL%2FTEGL22-04c1acc.pdf&ei=CD-lUdToBILFigKL34CYCA&usg=AFQjCNEg7K4kD3Kr77lvAGdcWDbN3wXTfg&bvm=bv.47008514,d.c) provides clarification and flexibility to serve spouses of military service members (military spouses) under the Dislocated Worker Program. DOL affords the SAWDC significant flexibility to serve military spouses. [TEGL 22-04](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1699) clarifies that the term “military spouse” includes individuals who are married to active duty service members, including National Guard or Reserve personnel on active duty, and surviving spouses of active duty service members who lost their lives while on active duty service in combat-related areas, e.g. Afghanistan or Iraq. Refer to handbook Section 5.7 for guidance related to the impact of Washington’s Marriage Equality Act.

When the spouse is unable to continue an employment relationship due to the service member’s permanent change of military station, or the military spouse loses employment as a result of the spouse’s discharge from the military, then the separation from employment meets the termination component of the WIA definition of Dislocated Worker. Eligibility determinations must align with UI policy regarding “good cause” for voluntary quits. Below are two common scenarios that would qualify:

* The spouse of a military service member voluntarily quits because he/she is relocating with the service member to a new duty location.
* The spouse of a military service member is no longer eligible to work on the base as a result of the military service member’s discharge.

NOTE: Good cause is **not** found when a claimant quits work to relocate someplace other than the military spouse's or domestic partner's new duty location, including relocation to the home of record or elsewhere.

As provided in [TEGL 22-04](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1699) and [TEGL 22-04 Change 1](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2540), “termination” of military spouses based on the circumstances described above can be considered to meet the “unlikely to return to a previous industry or occupation” in order to qualify as a dislocated worker. Determination is a matter of judgment based on relevant circumstances, but in most cases, military spouses impacted by a service member’s duty reassignment or discharge will meet the “unlikely to return to a previous industry or occupation” criterion of WIA and could be served as dislocated workers .

A military spouse can also be served as Dislocated Worker if he/she meets the definitional requirements for Displaced Homemaker (see definition).

* 1. **Eligibility for Employed Individuals, Including “Stop-Gap” Employment**

20 CFR 663.220 states that adults and dislocated workers may be eligible for intensive services if they are employed and are determined to be in need of such services to obtain or retain self-sufficient employment. Washington State will use the term “stop-gap employment” when referring to employment that will not lead to self-sufficiency.

Self-sufficiency for Dislocated Workers shall be defined as employment lasting more than 6 consecutive months which provides the worker a wage that is equal to or greater than 90% of his/her wage at the time of dislocation. The special needs of individuals with disabilities or other barriers to employment should be taken into account when setting criteria to determine self-sufficiency.

Stop-gap employment is temporary work an individual accepts only because they have been laid off from the customary work for which their training, experience or work history qualifies them. Stop-gap employment must be temporary in nature with the intent to end employment upon completion of training, obtaining self-sufficient employment or as specified in the individual employment plan (IEP).

Typically, stop-gap employment will pay less than the individual’s wage of self-sufficiency (as defined locally); however, there may be specific circumstances (determined locally based on local criteria) where stop-gap employment does provide a sufficient wage temporarily but is not considered permanent employment that leads to self-sufficiency. This stop-gap employment would not change the individual’s dislocated worker status if it meets the WDC’s criteria.

An otherwise eligible Dislocated Worker remains eligible if either prior to, or during Dislocated Worker Program participation, stop-gap employment is obtained for the purpose of income maintenance. If dislocation from a stop-gap position occurs, the job of dislocation remains the original job that established the self-sufficient income. If, at any time, an individual obtains employment that meets the WDC’s definition of self-sufficiency, including a scenario where the employment period exceeds WDC established criteria for temporary employment, then that position would be considered the self-sufficient job of dislocation in the event of a future dislocation.

Additionally, the SAWDC has adopted the Self-Sufficiency Standard for Washington to be used as a tool leading to economic self-sufficiency by facilitating counseling and career planning to identify long-term employment and training options and for assessments of dislocated workers that informs the development of the Individual Employment Plan. The Self-sufficiency Calculator will be used as a tool and a copy of the client printout is required in the case file within 30 days of enrollment. The Self-Sufficiency Calculator will be used and printed again at exit to measure the individual’s success at moving toward economic self-sufficiency.

1. **Additional Program Guidance**
   1. **U.S. Citizenship or Legal Right to Work in the U.S.**

As outlined in sections 2.1, 3.1 and 4.1, WIA requires verification of WDAs are required to verify U.S. citizenship or legal right to work for all WIA Title 1-B programs. The SAWDC will require, as permitted by State policy, commonly used [I-9 Documentation](http://www.uscis.gov/files/form/i-9.pdf), such as driver’s license / ID card along with Social Security card. Other documentation may only be used to supplement accepted I-9 documentation.

* 1. **Selective Service Requirements**

To be eligible to receive WIA Title 1-funded services, all males born on or after January 1, 1960 must present documentation showing compliance with the Selective Service registration requirements or exceptions, or the SAWDC must determine that the failure to register was not knowing and willful. Complete Selective Service registration requirements and exceptions are found in [TEGL 11-11, Change 2](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_11-11_change2-Acc.pdf), including acceptable documentation to determine registration status and procedures for determining whether or not failure to register was knowing and willful.

Additionally, the [Selective Service System Website](http://www.sss.gov/default.htm) provides additional information about registration requirements, including the [Who Must Register Quick Reference Chart](http://www.sss.gov/PDFs/WhoMustRegisterChart.pdf).

Males 25 Years and Under

Before being enrolled in WIA Title 1-funded services, all males who are not registered with the

Selective Service and have not reached their 26th birthday must register through the [Selective Service website](http://www.sss.gov), or provide documentation indicating they are covered by an exception (i.e., serving in the military on full-time active duty or a non-U.S. male on a valid non-immigrant visa). Males turning 18 while participating in WIA Title 1-funded services must complete Selective Service registration no later than 30 days after becoming 18 in order to continue to receive WIA Title 1-funded services. Males between 18 and 25 years of age who refuse to register with the Selective Service must be suspended from WIA Title non-immigrant services until registered.

If a youth has failed to provide verification of Selective Service registration within 30 days of his 18th birthday, **services must be suspended** (i.e. on the 31st day after his 18th birthday). The WDC must stop providing services to a participant who has not met the Selective Service registration requirement until the requirement is met.

Males 26 Years and Over

Before enrolling in WIA Title 1-funded services, all males, 26 years of age or older, must provide

(1) documentation of compliance with the Selective Service registration requirement; (2) documentation showing they were not required to register; or (3) if they were required to register but did not, documentation establishing that their failure to register was not knowing and willful.

Determining Knowing and Willful Failure to Register

[TEGL 11-11, Change 2](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_11-11_change2-Acc.pdf) provides the SAWDC with detailed information about requesting a Status Information Letter and the process for determining knowing and willful failure to register. The intent of the TEGL is to provide a framework for the SAWDC to make determinations through a local process where determinations are based on the individual circumstances (e.g. questions, considerations, statements, status information letter) and relevant documentation (i.e. documentation that supports the reason for not registering or further supports the belief that it was not knowing or willful). Because circumstances will vary and need to be considered, there isn’t an established, proven list of acceptable documentation.

* 1. **Priority of Service for Veterans and Eligible Spouses**

All WIA programs and service delivery must align with federal law, regulations and guidance on Priority of Service. Priority of service entitles eligible veterans or spouses to enrollment and services before eligible non-covered persons. For additional guidance on Priority of Service refer to the SAWDC WorkSource System Policy*:* Priority of Service for Veterans and Eligible Spouses [SAWDC Policy: Priority of Service](http://www.wdcspokane.com/worksource-system), and [TEGL 10-09](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816). For specific guidance on priority for services when funding is limited under the Adult Program, refer to handbook Section 3.2.

* 1. **Assisting Victims of Human Trafficking**

This guidance is appropriate for one-stop center staff, especially intake workers and frontline staff who may encounter individuals they believe to be possible victims of human trafficking. If an individual is under immediate threat or states that they are in danger, staff should call 911.

On October 24, 2012, the U.S. Department of Labor (DOL), Employment and Training Administration (ETA) released Training and Employment Guidance Letter (TEGL) 9-12. [*TEGL 9-12*](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_9_12.pdf) provides additional information and updates earlier guidance on the importance of providing workforce training and referral services to victims of human trafficking. Below are instructions and guidelines for staff.

Recognizing the Characteristics of Victims and Referring Individuals to Proper Authorities and Resources

Many victims of trafficking do not self-identify. A role for staff is to recognize the characteristics of potential victims of trafficking and refer them to the proper authorities and resources. For information on how to identify potential victims of trafficking and a current list of hotlines one-stop staff can call to get help for potential victims, see [*TEGL 9-12*](http://wdr.doleta.gov/directives/attach/TEGL/TEGL_9_12.pdf) *Attachments A and B.*

Providing Employment and Training Services:

U.S. citizens or lawful residents who are victims of trafficking can receive the same services that are provided to the general public under WIA. In addition, under the Traffic Victims Protection Act, certain foreign nationals are also eligible for WIA Title I services. This includes victims of a severe form of trafficking in persons and individuals granted a non-immigrant “T” visa.

For the purposes of being eligible for WIA Title I services as a victim of a severe form of trafficking:

* Individuals 18 years of age or older must have been subjected to an act or practice described in the definition of “severe forms of trafficking in persons” and have received a letter of certification issued by the Department of Health and Human Services (HHS).
* Children under 18 years old who have been subjected to a severe form of trafficking need not be certified by HHS to be eligible for services; instead, HHS issues Letters of Eligibility to minor victims of trafficking. As with any participant, they must meet all applicable program eligibility requirements to receive WIA Title I services.

Individuals who are granted T visas from the Department of Homeland Security are also eligible for WIA Title I services. The T non-immigrant Status (T visa) is available to individuals who are or have been victims of human trafficking, and protects these victims of human trafficking by allowing them to remain in the United States to assist in an investigation or prosecution of human trafficking.

Employment and training services should be provided to victims of trafficking to the same extent and following the same procedures and case management processes as for other one-stop customers. However, services to victims of trafficking may need to be tailored and adapted to match the particular needs of this population. For instance, victims of trafficking may have Limited English Proficiency (LEP), criminal records (including from being forced into prostitution) or limited resumes.

Offering Information and Referrals to Other Wraparound Services and/or Law Enforcement

In most cases, victims of trafficking will approach One-stop Centers towards the end of their rehabilitation process and will have already been working with other federal, state, local or nonprofit organizations and agencies. In the event that the victim has not yet received services, it is important for staff to be aware of and utilize local resources and service providers, particularly nonprofit organizations that provide services to trafficking victims. Service providers for trafficking victims can also refer or accompany their clients to the nearest One-stop Center when they are ready for employment and training services.

A description of available services for victims of trafficking offered either directly by Federal agencies or provided by local service providers with funding from the U.S. Government can be found in the document “Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers” available at: [Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers*.*](http://www.acf.hhs.gov/sites/default/files/orr/traffickingservices_0.pdf)

Other Inquiries

Questions about DOL guidance should be addressed to ETA Region VI Office at 415-625-7900.

* 1. **WIA001 Report and Disallowed Use of UI GUIDE Screen Prints**

[WIN 0027 Change 1](http://www.wa.gov/esd/1stop/policies/state_guidance.htm) provides information on the use of the *WIA001 – For WIA Eligibility and Claims Data* report and to further clarify that, effective July 15, 2011, unemployment insurance claim screens (UI GUIDE screen prints) should no longer be used to determine program eligibility.

* 1. **Income Verification and Family Size for the Low-Income Criteria**
     1. **Income Verification**

Utilizing the definition of low-income at WIA Section 101(25) (see Definition section), the SAWDC has established income verification and defined what is included or excluded as income in the tables in the section “Forms of Includable and Excludable Income.” While the SAWDC has defined these included and excluded income lists, it is not all-inclusive and may be added to as necessary. For items not on the list, contact the SAWDC for guidance on any additional income sources. Additionally, the SAWDC maintains an updated Income Guidelines Policy to evaluate low-income status as compared to the Federal Poverty Guidelines and/or the 70% of Lower Living Standard Income Levels. These tools, as well as determining family size and dependent status (defined below), are all used to help determine eligibility based on income verification. The definition of “low-income” may include individuals who are unemployed. However, unemployed individuals will not automatically meet the local parameters regarding low-income (i.e., to qualify for the Adult Program). The intent is to prioritize services to individuals based on family income (low-income), not to exclude unemployed individuals (who meet the low-income criteria) from receiving services.

To determine whether an individual is low-income under the definition at WIA Section 101(25), it is also necessary to consider family size and family income.

* + 1. **Determining Family Size**

For these purposes, “family” under WIA means two or more individuals related by blood, marriage or decree of court, who are living in a single residence, and are included in one or more of the following categories:

* A married couple and dependent children;
* A parent or guardian and dependent children; or
* A married couple.

Refer to handbook Section 5.7 for guidance related to the impact of Washington’s Marriage Equality Act.

NOTE: Based on 20 CFR 663.640 and 664.250, even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if their own income meets the income criteria of WIA Section 101(25)(A) or 101(25(B). The disabled individual would be considered a family of one and only the individual’s income would be considered when determining low-income.

* + 1. **Defining Dependent**

WIA does not define dependent**.** To avoid uncertainty in making eligibility decisions regarding family size and income, the state has identified three examples in which a youth must be considered as a dependent (of parent(s) or guardian(s))for the purpose of determining family size for WIA Title I-B Youth and Adult Program eligibility.

These three instances are:

|  |  |
| --- | --- |
| Example 1 | Youth not yet 18, who are not emancipated youth or runaway youth, living “at home” with their parents or guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household). |
| Example 2 | Youth age 18-19 who are full-time students in a secondary school or equivalent and are living “at home” with their parents or guardians. |
| Example 3 | Youth age 18-21 who are not full-time students and are living “at home” with their parents or guardians and who are primarily supported by their parents. |

A guardian is a blood relative (e.g., grandparent, aunt or uncle) or another legally recognized relative (e.g., decree of court) who claims the youth as a dependent. The key factors are:

* Relationship by blood or decree of court;
* Living in a single residence; and
* The youth is claimed as a dependent.

As allowed, further guidance and exceptions for the Spokane Area Workforce Development Council include:

1. A individual 18 years or older who resides in the family and who, within the last six months, has had any income totaling more than 30 percent of the [Office of Management and Budget Poverty Income](http://aspe.hhs.gov/poverty/index.cfm) level guidelines for a family of one for 12 months may be considered a family of one.
2. Married or living with a dependent child: If a married individual’s family (spouse and/or dependent) resides with that individual; and as a unit, they are living within the household of other family members, they are determined to be a family living within a family. The individual’s married family (not extended family) is used to establish family size. Example – An individual, his/her spouse, and their child are living with that individual’s parents. The individual, spouse and child would be a family size of three (3) for determining eligibility.
   1. **Washington’s Marriage Equality Act**

Washington’s Marriage Equality Act ([RCW 26.60](http://apps.leg.wa.gov/rcw/default.aspx?cite=26.60&full=true)) expands the definition of a “married couple” beyond that of a male and female couple. The US Department of Justice will no longer defend the federal “Defense of Marriage Act” as a number of courts have held it is unconstitutional, including the 1st and 2nd Circuit Court of Appeals. Accordingly, in relation to this policy, the state is expanding its definition of a married couple beyond that of a male and a female.

This expanded definition applies to all WIA policy guidance and specifically impacts the following sections within this policy: family size, eligible spouses (Priority of Service), military spouses (Dislocated Worker eligibility) and displaced homemakers (Dislocated Worker eligibility).

1. **Eligibility Documentation Requirements**

The matrix below provides a comprehensive look at program eligibility criteria and documentation requirements. The requirements in this matrix outline eligibility criteria and utilize Data Element Validation requirements for alignment purposes; however, there are additional Data Element Validation requirements beyond the eligibility documentation requirements described in this matrix, including different data element validation requirements for core services. For comprehensive information on the Data Reporting and Validation System (DRVS) and Data Element Validation requirements, refer to [Policy 1003 Revision 1](http://www.wa.gov/esd/1stop/policies/documents/systems/1013Rev1_MemorandumofUnderstanding.pdf) and [TEGL 28-11](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9545http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9545). Reference Section 7 for further local procedures on registering participants.

**Instructions for the eligibility and documentation cross-walk:**

**Criteria**

This column represents all eligibility components for WIA Title 1-B (Youth and Dislocated Worker (DW) categories are listed under criteria, in addition to the components that apply to multiple programs).

**Eligibility Requirement**

This column includes each program with an indicator in each row if the eligibility criteria apply to the specific program as outlined in Sections 2, 3 and 4 of this handbook.

**Documentation Requirement**

The corresponding eligibility documentation requirements to the right align with Data Element Validation documentation requirements for each eligibility criteria/category. The DRVS number (if the criteria is included under Data Element Validation) or other source (if not included under Data Element Validation) is listed above each list of documentation.

One document in this column is required for each relevant eligibility criteria/category. Each criteria is connected to one or more potential DRVS lists, but only one document (from the relevant list) is necessary (i.e., low-income and youth category 3 include multiple “options” but only one option is necessary).

**Self-attestation**

In the Eligibility Criteria table (see next page(s)), identifies in the Self-Attest column as to whether or not the SAWDC allows self-attestation for the corresponding documentation listed.

| **Criteria** | **Eligibility Requirement For:** | | | | | **Documentation Requirement** | **Self-attest** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **W-P** | **Youth** | | **Adult** | **DW** |
| **YY** | **OY** |
| **Citizen / Legally Entitled to Work in the**  **U.S.** | N/A |  |  |  |  | * Accepted [I-9 Documentation](http://www.uscis.gov/files/form/i-9.pdf), such as: driver’s license / ID card along with Social Security card.   Note: for more information on employment eligibility guidance and alignment with I-9 documentation please see [M-274, Instructions for Completing Form I-9](http://www.uscis.gov/files/form/m-274.pdf). | No |
| **Age** | N/A |  |  |  | N/A | DRVS 3 - Date of Birth   * Driver’s license * Baptismal record * Birth certificate * DD-214 * Report of Transfer or Discharge paper * Federal, state or local ID card * Passport * Hospital record of birth * Public assistance/social service records * School records or ID cards * Work permit * Cross match with Department of Vital Statistics (Department of Health’s Center for Health Statistics) * Tribal records | No |
| **Selective Service Registration[[1]](#footnote-1)** | N/A | N/A | * [[2]](#footnote-2) | * [[3]](#footnote-3) |  | TEGL 11-11 Change 2   * Selective Service acknowledgement letter * Form DD-214 “Report of Separation” * Screen printout of the [Selective Service Verification site](http://www.sss.gov) * Selective Service Registration Card * Selective Service Verification (Form 3A) * Stamped Post Office Receipt of Registration | No |
| **Low-Income [[4]](#footnote-4)** | N/A |  |  |  | N/A | DRVS 20, 21, or 22 for Adult.  DRVS 20 - Low-income   * Alimony Agreement * Applicant statement * Award letter from veteran’s administration * Bank statements * Compensation award letter * Court award letter * Pension statement * Employer statement/contact * Family or business financial records * Housing authority verification * Pay stubs * Public assistance records * Quarterly estimated tax for self-employed persons * Social Security benefits, * UI documents   DRVS 21 - TANF   * Cross- match with TANF public assistance records   DRVS 22 - Other Public Assistance Recipient   * Copy of authorization to receive cash public assistance * Copy of public assistance check * Medical card showing cash grant status * Public assistance records * Refugee assistance records * Cross- match with public assistance database | Yes (only for 20) |
| **Youth Program** |  | Cat. 1 | |  |  | DRVS 31 - Basic literacy skills deficiency   * Standardized assessment test * School records * Case notes | No |
|  | Cat. 2 | |  |  | DRVS 30 - School Status at Participation   * Self- attestation * Applicable records from education institution (GED certificate, diploma, attendance record, transcripts, drop out letter, school documentation) * WIA intake or registration form * State MIS | Yes |
|  | Cat. 3 | N/A |  |  | DRVS 26 (homeless / runaway youth) or DRVS 32 (foster care)  DRVS 26 - Homeless individual and/or runaway youth   * Self-attestation * Written statement from an individual providing residence, shelter or social service agency * WIA intake or registration form   DRVS 32 - Foster Care Youth:   * Written confirmation from social services agency * Case notes | Yes  (only for 26) |
|  | Cat. 4 | |  |  | DRVS 28 – Pregnant or Parenting Youth   * Self- attestation * Copy of child’s birth certificate * Baptismal record * Observation of pregnancy status * Doctor’s note confirming pregnancy | Yes |
|  | Cat. 5 | |  |  | DRVS 27 - Offender   * Self-attestation * Documentation from juvenile or adult criminal justice system * Documented phone call with court or probation representatives * WIA intake or registration form | Yes |
|  | Cat. 6 | |  |  | DRVS 29 - Youth who needs additional assistance   * Self- attestation * Individual service strategy * Case notes * WIA intake or registration form * State MIS | Yes |
| **Dislocated Worker Program** |  |  |  |  | Cat.1.1 | **DRVS 25** (Date of Actual Qualifying Dislocation)   * Self-attestation * Verification from employer * Rapid Response list * Notice of layoff * Public announcement with cross-match with UI | Yes |
| Cat.1.2 | * LMI showing occupation in decline or lack of required education * Job postings showing lack of education / experience (minimum of 3 postings required) * Long-term unemployed – 20+ weeks dislocation (see criteria 1.1 for acceptable documentation) * Physical/mental restriction – medical records or physician’s statement * Legal restriction – WIA application indicating criminal history * Self-attestation | Yes |
| Cat.  1.3.1 | * Report displaying UI paid to date * UI Stub * UI Bye Week Letter * Print out of UI direct deposit * Self-attestation | Yes |
| Cat.  1.3.2 | * UI Determination Letter showing lack of hours worked to be eligible * Verification from employer that business is exempt from UI * Self-attestation | Yes |
| Cat. 2 | * Self-attestation * Verification from employer * Rapid Response list * Notice of layoff * Public announcement with cross-match with UI | Yes |
| Cat. 3 | DRVS 25   * Self-attestation   **AND**   * Most recent tax documents showing a loss or lack of profit * Inactive or expired business license * Newspaper article documenting business closure, economic downturn, and/or natural disaster * Business foreclosure notice or articles of dissolution * Food Stamp/TANF/SSI Award Letter | Yes |
| Cat. 4 | DRVS 24 - Displaced Homemaker   * Self-attestation * Public assistance records * Court records * Divorce Papers * Bank records; * Spouse’s layoff notice * Spouse’s death record | Yes |
| Cat. 5.1 | DRVS 25[[5]](#footnote-5) (refer to list above) or a DD-214 | Yes |
| Cat. 5.2 | * LMI showing occupation in decline or lack of required education * Job postings showing lack of education / experience (minimum of 3 postings required) * Long-term unemployed – 20+ weeks dislocation (see criteria 1.1 for acceptable documentation) * Physical/mental restriction – medical records or physician’s statement * Legal restriction – WIA application indicating criminal history   Self-attestation |  |
| Cat.  5.3.1 | * WIA001 Report displaying UI paid to date * UI Stub * UI Bye Week Letter * Print out of UI direct deposit * Self-attestation   **OR** |  |
| Cat.  5.3.2 | * DD-214 indicating retirement from the military * Self-attestation |  |
| Cat. 6 | DRVS 25 (refer to list above) | Yes |

1. **SAWDC Program Registration Procedures**

Regulatory definitions identify registration of individuals (adults and dislocated workers ) to occur at the point where services received are beyond self-service or informational. Registration is the process for collecting information for supporting a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview or an individual’s application. WIA Title 1-B registration occurs at the point where there is significant staff involvement (20 CFR 663.105; 664.215).

When an individual is enrolled into a WIA Title 1-B funded program, a significant commitment on the part of the system is made. The customer must meet eligibility and other requirements as described in this and other SAWDC policy documents. The customer is referred to as a participant as soon as the required data for enrollment is entered into SKIES. The Washington State management information system known as SKIES (Services, Knowledge and Information Exchange System) is utilized as the local record keeping system. Registration shall be documented in individual participant files and SKIES for WIA Title 1-B programs.

Under WIA, every participant:

1. Will be tracked through SKIES,

2. Will be tracked for three quarters after their exit quarter, and

3. Counts toward the federal performance measures.

Upon registration, Equal Opportunity data must be collected during the registration process on every individual who has submitted personal information in response to being considered for WIA Title 1-B funded services. Registration is also the point when participants are counted for performance measurement purposes.

### 7.1 Youth Registration Requirements

WIA I-B Youth Program registration occurs at the point where eligibility has been determined and there is significant staff involvement. This includes objective assessments and Individual Services Strategy initiation. Each of the following conditions must be met before an individual may be registered and before any services other than self-service or informational services may be provided:

* + - 1. A planned intervention of WIA I-B services occurs;
      2. An Objective Assessment and an Individual Service Strategy (ISS) are completed which identify the need for WIA I-B dollars; and
      3. A WIA Registration Form and supporting documentation consistent with this policy have been completed and collected.

The objective assessment must meet the requirements of WIA section 129(c)(1)(A) and include a review of the following:

* + - * 1. Basic and academic skills
        2. Occupational skills
        3. Educational goals
        4. Interests and aptitudes
        5. Employment goals
        6. Appropriate achievement objectives

### 7.2 Adult and Dislocated Worker Program Registration Requirements

[TEGL 7-99](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=1201) provides guidance on determining when significant staff involvement has occurred and individuals have surpassed self-service or informational activities.

Locally, significant staff involvement for adults and dislocated workers occurs at the point where:

A planned intervention of WIA Title 1-B services occurs, and

An Individual Employment Plan (IEP) is implemented using WIA Title 1-B dollars.

### 7.3 SAWDC Eligibility Documentation Procedure:

WIA program operators shall complete a 100% verification of eligibility. Each criterion and each eligibility requirement must be supported by a verifying document as listed in the matrix below.

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

1. Complete an application and obtain signatures as appropriate.
2. Complete the *Eligibility Verification Form* for the program (see attachments), check eligibility status and sign. Copies of supporting documentation must be filed behind this form and the signed application in a participant file.
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.
4. Documentation of the Self-sufficiency Calculator printout must be completed and maintained in participant file when required.

The participant file is not required to be all inclusive of documentation when the following situations occur. However, these files should be available for review of that documentation.

* A separate file must be maintained for medical and disability information. Please refer to SAWDC Management of Medical and Disability Related Information Policy. Other confidential information is contained in another separate file.
* Documents of eligibility for co-enrolled participants may be shared and photocopied from another program between onsite partners within the WorkSource consortium of partners in order to document eligibility for the WIA program.

**Social Security number** – Per TEGL 5-08, states are required, consistent with state law, to use quarterly wage record information in measuring the progress against state and local performance measures. (20 CFR 666.150) States must use social security numbers to match a program participant’s records with that individual’s quarterly wage record information to assess the impact of program services.

Guidelines: States must request a participant’s Social Security number when offering the services (listed in TEGL), keeping in mind that the state must not deny access to any participant who refuses to provide a social security number.

The SAWDC has defined that documenting Social Security number through “visual inspection” of an official document for the participant’s Social Security number is important for the requirements of performance reporting, MIS record keeping, and wage record matching. WIA must document legally authorized to work in the United States and Selective Service provisions.

### 7.4 Program Exit

Once an individual is registered in the WIA Adult and Dislocated Worker Program, the individual remains classified as a participant 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 as long as they are actively participating in a qualifying service. While beneficial to employment retention, post employment follow-up services designed to ensure job retention; wage gains and career progress do not count as a service that extends the participation period.

### 7.5 Participant File Document Checklist

This checklist was created locally as a tool for Program Operators to use when working with participants to help ensure documents required by various policies, guidelines and laws are placed in the participants file. It is an optional tool.

The following documents are required to be placed in each WIA Title 1-B participant file:

WIA Registration Form

Eligibility & Priority of Service Verification Form

Consent for Release of Unemployment Insurance Data (if applicable)

Self-Attestation Form (if applicable)

Self-Sufficiency Calculator on entrance to Program (Adult & Dislocated Worker)

Equal Employment Opportunity Participant Form

Summary of Rights and Complaint and Grievance Procedures

Self-Sufficiency Calculator on exit from Program (Adult & Dislocated Worker)

Additional Adult Program Document Requirements:

Demand / Decline Printout, as required for Adult participants

Additional Dislocated Worker Program Document Requirements:

Demand / Decline Printout, as required for Dislocated Worker Program participants

Additional Youth Program Document Requirements:

Testing and assessments

1. **Self-Attestation Forms**

You can download this Youth Self-Attestation form on the SAWDC website under WIA policies.

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **WIA Title 1-B Adult & Dislocated Worker Self-Attestation Form** | | | | | | | | | | | | |
| **Applicant Information:** | | | | | | | | | | | | |
| **Last Name:** | | | **First Name:** | | | | | | **Middle Initial:** | | | |
|  | | |  | | | | | |  | | | |
| **Address:** | | | **City:** | | | | **State:** | | **Zip:** | | | |
|  | | |  | | | |  | |  | | | |
| **Individuals entering WIA services may self-attest to the information below:** | | | | | | | | | | | | |
|  | Are you low-income? (please explain below) | | | | | | | Yes | |  | No |  |
|  | Are you self-attesting to (1) unlikely to return to your previous industry, (2) eligible or exhausted UI, or (3) or attachment to the workforce? If so, please explain below. | | | | | | | Yes | |  | No |  |
| Explanation: | | | | | | | | | | | | |
|  | Have you been terminated, laid off or received a notice of termination or layoff? | | | | | | | Yes | |  | No |  |
|  | Are you a military service member who was discharged or released from service (under conditions other than dishonorable) or has received a notice of military separation? | | | | | | | Yes | |  | No |  |
|  | Were you unable to continue employment due to your spouse’s permanent change of military station, or did you lose employment as a result of your spouse’s discharge from the military? | | | | | | | Yes | |  | No |  |
| 1. **3** | Were you self-employed, but are unemployed as a result of general economic conditions in the community in which you reside? | | | | | | | Yes | |  | No |  |
| 1. **4** | Are you a displaced homemaker? | | | | | | | Yes | |  | No |  |
|  | | **Dislocation Information** | | **Current Employment Information** | | | | | | | | |
| **Date** | | Separation Date: | | Start Date: | | | | | | | | |
| **Job Title** | |  | |  | | | | | | | | |
| **Business Name** | |  | |  | | | | | | | | |
| **Address** | |  | |  | | | | | | | | |
| **City, State, Zip** | |  | |  | | | | | | | | |
| **Self-Attestation Statement:** | | | | | | | | | | | | |
| I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIA program and/or penalties as specified by law. | | | | | | | | | | | | |
| **SIGNATURE OF PARTICIPANT**  **X** | | | | | **DATE** | | | | | | | |
| **Staff Verification Statement:** | | | | | | | | | | | | |
| *I certify that the individual whose signature appears above provided the information recorded on this form.* | | | | | | | | | | | | |
| **SIGNATURE OF STAFF**  **X** | | | | | | **DATE** | | | | | | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **WIA Title 1-B Youth Self-Attestation Form** | | | | | | | | | | |
| **Applicant Information:** | | | | | | | | | | |
| **Last Name:** | | **First Name:** | | | | | **Middle Initial:** | | | |
|  | |  | | | | |  | | | |
| **Address:** | | **City:** | | | **State:** | | **Zip:** | | | |
|  | |  | | |  | |  | | | |
| **Individuals entering WIA services may self-attest to the information below:** | | | | | | | | | | |
|  | Are you low-income? (please explain below) | | | | | Yes | |  | No |  |
| Explanation: | | | | | | | | | | |
|  | Have you dropped out of school? | | | | | Yes | |  | No |  |
|  | Are you homeless or did you run away from home? | | | | | Yes | |  | No |  |
|  | Are you pregnant or currently parenting a child? | | | | | Yes | |  | No |  |
|  | Are you an offender? | | | | | Yes | |  | No |  |
|  | Are you one or more grade levels below the appropriate grade level for your age? | | | | | Yes | |  | No |  |
|  | Locally established criteria for “Requires Additional Assistance” may allow for self-attestation, includes individuals with disabilities (please explain below) | | | | | Yes | |  | No |  |
|  | Explanation: | | | | |  | |  |  |  |
| **Self-Attestation Statement:** | | | | | | | | | | |
| *I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIA program and/or penalties as specified by law.* | | | | | | | | | | |
| **SIGNATURE OF PARTICIPANT**  **X** | | | **DATE** | | | | | | | |
| **Staff Verification Statement:** | | | | | | | | | | |
| *I certify that the individual whose signature appears above provided the information recorded on this form.* | | | | | | | | | | |
| **SIGNATURE OF STAFF**  **X** | | | | **DATE** | | | | | | |

1. **Forms of Includable and Excludable Income**

Utilizing the definition of low-income at Section 101(25) (see Definition section), the SAWDC has established income verification and defined what is included or excluded as income. While the SAWDC has defined these included and excluded income lists, it is not all-inclusive and may be added to as necessary. For items not on the list, contact the SAWDC for guidance on any additional income sources.

(If the income cannot meet one of the excludable criteria, then the payment will be includable income).

|  |  |
| --- | --- |
| **Included Income** | |
|  | Gross wages and salaries before deductions, including wages earned while in OJT, on reserve duty in the Armed Forces and severance pay. Total money earnings received from work performed as an employee. If a family’s only source of income was from wages and salary payments, family income would be equal to gross wages and salary received. |
|  | Net receipts from non-farm self-employment (receipts from a person’s own unincorporated business, professional enterprise or partnership after deductions for business expenses). If the business or enterprise has suffered a loss, this loss will be allowed to off-set wage earnings. |
|  | 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). If the farm has suffered a loss, this loss will be allowed to off-set wage earnings. |
|  | Regular payments from railroad retirement benefits, strike benefits from union funds, worker’s compensation (not lump sum) and training stipends. |
|  | Alimony. |
|  | Military family allotments or other regular support from an absent family member or someone not living in the household, except child support payments and military payments indicated below which are excluded from family income calculations. |
|  | Pensions whether private or government employee (including military retirement pay). |
|  | Regular insurance or annuity payments received by the individual or family member. |
|  | College or university grants or scholarships based on merit, fellowships and assistantships (other than needs-based scholarships). |
|  | Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts and net gambling or lottery winnings. |
|  | Social Security Disability (SSDI) Insurance payments (Title II of the Social Security Act, Federal Old-Age, Survivors and Disability Insurance). SSDI pays benefits to individuals that have worked in the past, paid Social Security taxes and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement. |

|  |  |
| --- | --- |
| **Excluded Income** | |
|  | Regular payments from Old-Age, Survivors and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act. |
|  | Supplemental Security Income Insurance (SSI), Title XVI of the Social Security Act, for the Aged, Blind, and Disabled. SSI is an income supplement program funded by general tax revenues and pays benefits based on financial need (not Social Security taxes). SSI is designed to help aged, blind and disabled people who have little or no income and provides cash to meet basic needs for food, clothing and shelter. |
|  | Public cash assistance, e.g., TANF, emergency assistance, general relief, supplemental security income- SSI. |
|  | **Needs-based** scholarship assistance, and financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS (Stafford and Perkins loans, like any other kind of loans, are debt and not income). |
|  | Child support payments. |
|  | Non-cash benefits such as employer-paid or union-paid portion or health insurance or other employee fringe benefits, Medicare, Medicaid, food stamps, school meals, food or housing received in lieu of wages and housing assistance. |
|  | Allowance, earnings and payments made to individuals participating in WIA programs or any other workforce development program (except OJT participants)for which eligibility is based upon a needs and/or income test. |
|  | Certain one-time cash payments including: tax refunds; one-time gifts; loans, which are debt and not income; assets from the sale of a home, property or car; one-time insurance settlements; lump-sum inheritances; one-time compensation for injury; etc. |
|  | Capital gains and losses. |
|  | Assets drawn down as withdrawals from a bank and IRA withdrawals. |
|  | Pay and allowances received under U.S.C. Titles 37 and 38, (includes service while active in the National Guard or Reserves), pay and allowances received while serving on active military duty, compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, education assistance and active duty pay for reservists called to active military duty.  NOTE: This should be ex-service personnel who did not receive veteran 1 status, i.e., discharged other than honorable status. Section 4213 goes on to tell us to disregard benefits received by ex-service personnel who have veteran status. These benefits can only be received if the person has not been discharged under honorable, general, unsuitable, etc. The six specific benefits are:  CH 11 - Compensation for Service connected Disability or death  CH 13 - Dependency and indemnity compensation for service-connected death  CH 31 - Vocational rehabilitation  CH 34 - Veteran's education assistance  CH 35 - War orphans and widows education assistance  CH 36 - Administration of Educational |
|  | Cash welfare payments under a Federal, state, or local income-based public assistance program (e.g., Temporary Assistance for Needy Families (TANF), Emergency assistance money payments, Refugee Cash Assistance (PL 97-212)). |
|  | Cash payments received under Title V of the Older American’s Act. |
|  | Payments received under the Trade Readjustment Act of 1974. |
|  | Job Corps payments. |
|  | U. S. Housing and Urban Development (HUD) rental assistance subsidies. |
|  | Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, YouthWorks/AmeriCorps Programs and Retired Senior Volunteer Program. |
|  | Foster child care payments. |
|  | When a federal statute specifically provides that income or payments received under the statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIA eligibility determination. |

1. Refer to Sec. 5.2 and TEGL 11-11 Change 2 for additional guidance on determining whether or not failure to register was knowing / willful. [↑](#footnote-ref-1)
2. Selective Service Registration applies to youth who are 18 years of age or older, either at the time of enrollment or during participation. (Refer to Sec. 5.2). [↑](#footnote-ref-2)
3. Selective Service Registration applies to youth who are 18 years of age or older, either at the time of enrollment or during participation. (Refer to Sec. 5.2). [↑](#footnote-ref-3)
4. Income as an eligibility requirement for the Adult program is determined by the WDC in alignment with Section ii.b of this attachment. Income as an eligibility requirement for youth does not apply to youth enrolled in the 5% window. [↑](#footnote-ref-4)
5. Per Section 4.2, transitioning service members may qualify under the Dislocated Worker Program even if a DD-214 has not yet been obtained. While these individuals may be *eligible* to receive WIA Dislocated Worker services and funds, they would not be considered ‘veterans’ for the purposes of DOL reporting. [↑](#footnote-ref-5)