



**SPOKANE
WORKFORCE
COUNCIL**



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Attachment A

WorkSource System Services & Program Eligibility Handbook

SWC Eligibility & Documentation Requirements
Policy #WS816, Revision 4

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Introduction

The content of this procedural handbook is equivalent to SWC Policy WS816, Revision 4 and serves as the vehicle for implementing and managing eligibility policy guidance and changes.

This handbook provides guidance to WorkSource System staff concerning services and program eligibility requirements for the youth, adult and dislocated worker programs under WIOA title I and the Wagner-Peyser employment service programs under WIOA title III. This handbook provides guidance and minimum requirements for service providers as outlined in SWC Policy WS816 R4.

Sections 2, 3 and 4 cover program eligibility requirements for the WIOA title I youth, adult, and dislocated worker programs. Specific parameters and guidance are provided in the subsequent sections under each program. Section 5 covers additional guidance that applies to multiple (though not necessarily all) programs.

The Eligibility Matrix in Section 6 serves as a tool to review eligibility requirements for each program, including the corresponding documentation requirements.

This handbook is based on the best information available at this time per WIOA law and rules, DOL guidance, and state policies and guidance. The handbook will be revised as relevant DOL and State guidance is issued. Compliance with the SWC’s eligibility and documentation requirements policy will be based on the version of the policy and handbook in effect at the time of the action or activity under review. With SWC approval and where practical, service providers may utilize more recent guidance from DOL and Washington State when it is not otherwise included in this policy.

Common Acronyms

- **BSD** – Basic Skills Deficient
- **CFR** – Code of Federal Regulation
- **DEV** – Data Element Validation
- **DOL** – Department of Labor
- **DOLETA** – Department of Labor – Employment and Training Administration
- **ESD** – Employment Security Department
- **ETO** – Efforts to Outcomes
- **MIS** – Management Information System
- **SWC** – Spokane Workforce Council
- **TEGL** – Training and Employment Guidance Letter
- **WIOA** – Workforce Innovation and Opportunity Act
- **WSWA** – WorkSourceWA.com
- **WST** – WorkSource System Tools

Definitions

- **Basic WIOA Title I eligibility determination** – A determination of eligibility for WIOA adult and dislocated worker-funded programs that utilizes self-attestation for documentation of appropriate eligibility criteria, federal reporting elements, and Veteran’s priority of service as defined in [Section 6](#) of this handbook. An individual must complete a basic or comprehensive WIOA title I eligibility process (defined below) for the program in question and be determined eligible to receive basic career services funded by that program.
 - **Note:** Basic WIOA title I eligibility determination does not apply to youth programs. All WIOA youth program services require a comprehensive WIOA title I eligibility determination as defined below.
- **Career planning** – The term “career planning” means the provision of a client-centered approach in the delivery of services, designed to ([WIOA Section 3\(8\)](#)):

- Prepare and coordinate comprehensive employment plans (such as service strategies, individual employment plans, training plans, etc.) for individuals to ensure access to necessary workforce investment activities using computer-based technologies where feasible; and
- Provide job, education, and career counseling, as appropriate, during program participation and after job placement.

Note: Career planning is an individualized career service that requires registration and enrollment in a WIOA title I and/or WIOA title III program.

- **Case notes** – Case notes refer to either paper or electronic statements by the staff that identify, at a minimum, the following:
 - An individual’s status for a specific data element,
 - The date on which the information was obtained, and
 - The staff person who obtained the information ([TEGL 23-19, Change 2](#)).
- **Code of Federal Regulations (CFR)** – A CFR is a codification of general and permanent rules published in the Federal Register by executive departments and agencies of the Federal Government (<https://gov.ecfr.io/cgi-bin/ECFR>).
- **Co-enrollment** – The process of determining eligibility for, and enrollment into, two or more WorkSource System-funded programs for the purposes of delivering basic career services, individualized career services, supportive services, and/or training services.
- **Covered person (for priority of service)** – A veteran or their eligible spouse ([see Section 5.3 for more information on Veteran’s Priority of Service](#)).
- **Cross-match** – A cross-match requires service providers to identify detailed evidence that confirms the data element in a secondary database. Service providers must also confirm supporting information such as dates of participation and services rendered. Service providers must have data sharing agreements in place as appropriate. ([TEGL 23-19, Change 2](#)).
- **Data Validation** – Data validation is a series of internal controls or quality assurance techniques established to verify the accuracy, validity, and reliability of data. The establishment of a shared data validation framework that requires a consistent approach across programs ensures that all program data consistently and accurately reflect the performance of each service provider ([WorkSource System Policy 1003, Revision 4](#); [TEGL 23-19, Change 2](#)).
- **Demand-decline list** – A list that identifies occupations that are "in demand," "balanced," and "not in demand" across a state and within individual workforce development areas. In Washington state, this list is located at [ESD Learn about an occupation](#).
- **Electronic records** – Electronic records may include:
 - Participant source documents: Participant source documents maintained in the grantee’s management information system (MIS) or other official record keeping system.
 - Grantee participant service record: Grantee participant information generated and maintained by the grantee regarding the specific services received by a participant. The information may be generated and maintained through the grantee’s MIS or other official recordkeeping system. ([TEGL 23-19, Change 2](#)).
- **Eligible spouse (of a veteran)** – The spouse of any of the following ([Jobs for Veterans Act 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:
 - (i) missing in action;
 - (ii) captured in line of duty by a hostile force; or
 - (iii) forcibly detained or interned in the line of duty by a foreign government or power;

- (3) Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- (4) Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.
- **Employment Security Department (ESD)** – Washington State Employment Security Department - The department that administers the federal Workforce Innovation and Opportunity Act (WIOA) funds at the state level; one of the primary sources of funds for employment training in Washington (<https://wpc.wa.gov>).
- **Employment Status** – An individual’s status as employed or not employed, determined in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as employed or unemployed.
 - **Employed** – An individual who, in the past 7 days:
 - (1) Is performing any work at all as a paid employee;
 - (2) Is performing any work at all in his or her own business, profession, or farm;
 - (3) Is performing any work as an unpaid worker in an enterprise operated by a member of the family; or
 - (4) Is an individual who is not working but has a job or business from which he or she is temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time-off, and whether or not seeking another job.
 - **Employed, but received notice of termination of employment or military separation is pending** – An individual who, although employed in the past 7 days, either:
 - (1) Has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close; or
 - (2) Is a transitioning service member (within 12 months of separation or 24 months of retirement).

Note: An individual who has received a notice of termination or layoff (including notice of military separation) or is subject to a notice of facility or enterprise closure, is considered unemployed for all individualized career and training service eligibility requirements.
 - **Not in labor force** – an individual who is not employed as defined above and is not actively looking for work, including those who are incarcerated.
 - **Unemployed** – an individual who is not employed as defined above but is seeking employment, makes specific effort to find a job, and is available for work.
- **Comprehensive WIOA Title I eligibility determination** – A determination of eligibility for adult, dislocated worker, or youth-funded programs that requires validation beyond self-attestation of appropriate eligibility criteria, federal reporting elements, and Veteran’s priority of service as defined in [Section 6](#) of this handbook. Comprehensive adult and dislocated worker eligibility also includes assessing need for services beyond basic career services and determination of adult priority for service. To receive individualized career, training, and supportive services funded by an adult or dislocated worker program, or youth services funded by a youth program, an individual must complete the comprehensive WIOA title I eligibility process for the corresponding program and be determined eligible to receive such services under that program.
- **Local Labor Market Information** – Data about training/retraining information, job requirements, labor supply and demand, earnings, employment and unemployment statistics, job outlook, and demographics of the labor force in the area in which an individual resides or is willing to relocate. In Washington State, the Labor Market and Economic Analysis (LMEA) team of the Employment Security Department (ESD) collects and analyzes statistical data about the labor market in each county of Washington State (<https://esd.wa.gov/labormarketinfo>). Sources of local labor market information can

include but are not limited to job postings, course descriptions, economic statistics, demand/decline lists, news articles, career exploration websites, and state or US labor statistic agencies, such as LMEA or the US Bureau of Labor Statistics (BLS).

- **Offender** – The term “offender” means an individual who:
 - Is or has been subject to any stage of the criminal justice process; or
 - Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
- **Referral** - In the context of this policy, the act of a staff member facilitating a direct connection, either in person or virtually, of an individual to a service provider so the former is acknowledged by the latter and the former receives program-related information, an eligibility determination, and, if eligible and agreeable, is offered services. A referral in this context is considered a staff-assisted basic career service.
- **Self-attestation** – Self-attestation means a written or electronic/digital declaration of information for a particular data element that is signed and dated by the participant. Electronic signatures or a submission from the participant such as an email, text, or unique online survey response is considered an electronic signature or verification; Self-attestation must be participant generated and traceable to the participant. For more information see [Self-attestation](#) in section 6 of this handbook. Self-attestation forms for each program can be found under Policies on the [SWC website](#). ([ESD Policy 1019, R8 - Eligibility Policy and Handbook](#)).

Note: These forms are to be used only when access to the state MIS is unavailable, as self-attestation to these items should be done electronically whenever possible. All self-attested data collected on these forms must be entered into the state MIS as soon as possible.

- **Service provider** – A provider of workforce development services in Spokane County, such as the local one-stop center or other entity designated by the Spokane Workforce Council (SWC), that is responsible for determinations of program eligibility, documentation, self-attestation guidelines, and other eligibility and documentation requirements as defined by the SWC.
- **State Management Information System (MIS)** – A state-wide, shared electronic database for storing data. 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). Washington State’s MIS for WIOA programs is WorkSource System Tools (WST).
- **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.
- **WorkSource System Tools (WST)** – Washington State’s management information system for WIOA programs. WST is comprised of two interconnected systems, Efforts to Outcomes (ETO) for staff and WorkSourceWA.com for job seekers and employers (WSWA).

References

- [Public Law 113-128, Workforce Innovation and Opportunity Act \(WIOA\) of 2014](#)
- [WIOA Final Rule; 20 CFR Parts 676, 677, and 678; Federal Register, Vol. 81, No. 161, August 19, 2016](#)
- [WIOA Final Rule; 20 CFR Parts 603, 651,652, et al; Federal Register, Vol. 81, No. 161, August 19, 2016](#)
- [Public Law 107-288, Jobs for Veterans Act \(JVA\) of 2002](#)
- [Training and Employment Guidance Letter \(TEGL\) 22-04](#)

- [Training and Employment Guidance Letter \(TEGL\) 22-04, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-09](#)
- [Training and Employment Guidance Letter \(TEGL\) 11-11, Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-13, Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 26-13](#)
- [Training and Employment Guidance Letter \(TEGL\) 23-14](#)
- [Training and Employment Guidance Letter \(TEGL\) 04-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 08-15](#)
- [Training and Employment Guidance Letter \(TEGL\) 10-16, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 19-16](#)
- [Training and Employment Guidance Letter \(TEGL\) 21-16](#)
- [Training and Employment Guidance Letter \(TEGL\) 21-16, Change 1](#)
- [Training and Employment Guidance Letter \(TEGL\) 07-18](#)
- [Training and Employment Guidance Letter \(TEGL\) 23-19, Change 2](#)
- [Training and Employment Guidance Letter \(TEGL\) 07-20](#)
- [ESD WorkSource System Policy 1003, Revision 4 - Data Element Validation](#)
- [ESD WorkSource System Policy 1009, Revision 3 - Priority of Service for Veterans and Eligible Spouses](#)
- [ESD WorkSource System Policy 1019, Revision 8 – Eligibility Policy and Handbook](#)
- [ESD WIOA Title I Policy 5617, Revision 3 – Co-enrollment of TAA Participants into DW Program](#)
- [WorkSource Information Notice \(WIN\) 0027, Change 4 - Assisting Customers Using the UI Claimant eServices Website](#)
- [SWC Policy A103 – Records Retention](#)
- [SWC Policy W406, Revision 1 – Measure of Economic Self-Sufficiency](#)
- [SWC Policy W409, Revision 6 – Supportive Services & Needs-Related Payments](#)
- [SWC Policy W414 – Incumbent Worker Training](#)
- [SWC Policy W418, Revision 1 – Follow-up Services for Adults & Dislocated Workers](#)
- [SWC Policy WS815, Revision 2 – Co-enrollment & Integrated Service Delivery](#)

1. Alignment of WIOA Title I and WIOA Title III Program Services

1.1 Purpose

According to [Training and Employment Guidance Letter \(TEGL\) 04-15](#), the overarching vision for the One-Stop system is the coordination of fully integrated programs, services and governance structures so job seekers have access to a seamless system of workforce investment services. This intent is accomplished by establishing career services that are consistent across federally funded workforce development programs. In addition, the U.S. Department of Labor (DOL) has furthered its integration efforts by establishing common performance metrics ([TEGL 10-16, Change 1](#)) and developing an integrated performance reporting system (Participant Individual Record Layout or PIRL) for DOL-funded workforce programs.

The SWC and Washington State encourage the utilization of common intake, case management, and job development systems in order to take full advantage of the One-Stop potential for efficiency and effectiveness. WIOA title I adult and dislocated worker programs and WIOA title III employment service programs (Wagner-Peyser) are mandated to provide the same set of career services described in WIOA section 134(c)(2)(A). There is a natural alignment of service delivery under Wagner-Peyser since all individuals legally entitled to work in the U.S. are eligible for these services.

This section covers guidelines and requirements for providing career, training, and supportive services funded by WIOA title I adult, dislocated worker, and youth and WIOA title III employment service (Wagner-Peyser) programs.

To ensure seamless service delivery, minimize referrals, and leverage resources between programs, the provision of career, training, and supportive services to individuals under WIOA title I adult and dislocated worker and WIOA title III employment service programs must align with [SWC Policy WS815, R2 – Co-enrollment and Integrated Service Delivery](#). WIOA youth services are not subject to SWC Policy WS815, R2.

Attachment C of this policy – [WorkSource Spokane](#) and [Next Generation Zone](#) Services Catalogs define each service and identifies the category each service falls under.

Note: Personal records of WIOA registrants are private and confidential and not disclosable to the public. Refer to [SWC Policy A103 – Records Retention](#) and [RCW 50.13](#) for additional guidance on data privacy and security.

1.2 Career Services

There are three types of career services: basic, individualized, and follow-up. There is no sequence requirement for basic and individualized career services. They can be provided in any order to provide flexibility in targeting services to the needs of the individual. Follow-up services, however, can only be provided after exit (refer to [Section 7.3](#) below).

1.2.1. Basic Career Services

Generally, these services involve little staff time and involvement and include services such as: eligibility determinations, initial skill assessments, labor exchange services, provision of information on programs and services, and program referrals. Basic services are divided into three subtypes: informational, self-service, and staff-assisted. Informational, self-service, and staff-assisted basic career services are expected to be universally accessible to all individuals legally entitled to work in the US and must be made available to all individuals seeking employment and training services (20 CFR 680.150(a)). Staff-assisted basic career services must be provided by adult, dislocated worker, or employment services-funded staff in coordination with other one-stop center partners. Guidelines on providing basic career services are as follows:

1. Self-service and informational basic services can be provided to any individual without registration in WST and without enrollment using adult, dislocated worker, or employment services funds¹.
2. To receive staff-assisted basic career services funded by Employment Services, individuals must be registered in WST. Note: employment services (Wagner-Peyser) funded services are no longer required to be provided by State merit staff employees effective February 5th, 2020 ([20 CFR 652.215](#)).

3. To receive staff-assisted basic career services funded by adult or dislocated worker, individuals must be:
 - a. Registered in WST,
 - b. Determined eligible utilizing a basic or comprehensive WIOA title I eligibility determination for the appropriate program, and
 - c. Enrolled in adult or dislocated worker.

¹Per 20 CFR 680.110, self-service and informational activities are services made available and accessible to the general public that are designed to inform and educate individuals about the labor market 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. Both can be provided before registration and neither constitutes enrollment as neither is formally recognized as a staff assisted WIOA service. More information on reportable individuals and self-service and information-only activities can be found in Sections 8 and 9 of [TEGL 10-16, Change 1](#).

1.2.2. Individualized Career Services

Generally, these services involve significant staff time and customization to each individual's need and include services such as: specialized assessments, developing individual employment plans, counseling, and work experiences. Individualized career services must be provided to any individual legally entitled to work in the U.S. and for whom individualized career services are determined to be appropriate in order for the individual to obtain or retain employment, consistent with veteran's and adult priority of service requirements (20 CFR 680.150(b)). Individualized career services may be provided by employment services staff in coordination with adult and dislocated worker staff and other one-stop center partners. Guidelines on providing individualized career services are as follows:

1. To receive individualized career services funded by employment services, individuals must be registered in WST and determined to be in need of individualized career services in order to obtain or retain employment. Note: employment services (Wagner-Peyser) funded services are no longer required to be provided by State merit staff employees effective February 5th, 2020 ([20 CFR 652.215](#)).
2. To receive individualized career services funded by adult and dislocated worker, individuals must be:
 - a. Registered in WST,
 - b. Determined to be in need of individualized career services in order to obtain or retain employment,
 - c. Determined eligible using a comprehensive adult or dislocated worker eligibility determination, and
 - d. Enrolled in adult or dislocated Worker.

Note: Sections 1.2.1 and 1.2.2 cover eligibility requirements for Wagner-Peyser under WIOA title III employment services, including priority of service requirements for covered persons (using the broad definition of veteran – see [Section 5.3](#)). For verification of veteran status, the Wagner-Peyser program has specific requirements. For an overview of services for veterans (using the standard definition) under Wagner-Peyser, please refer to [Wagner-Peyser Employment Service Policy 4030 – Services for Veterans](#).

1.2.3. Follow-up Services

These services can involve a wide range of staff time, depending on the needs of the individual and include services such as counseling about the workplace, assistance in resolving work-related problems, and providing information about additional educational or employment opportunities. Follow-up services must be available for up to 12 months to any individual who has participated in an adult or dislocated worker program after their first day of employment. Refer to [SWC Policy W418](#) for further information on follow-up services for adults and dislocated workers. To receive follow-up services, individuals must be:

1. Exited from an adult or dislocated worker program,
2. Placed in unsubsidized employment, and

3. Determined to be in need of follow-up services to obtain or retain employment.

1.3 Training Services

Training services can be critical to the employment success of an individual and include services such as occupational skills training, on-the-job training (OJT), and entrepreneurial training. Training services are funded and provided to participants under the adult and dislocated worker programs. To receive adult or dislocated worker-funded training services, individuals must be:

1. Registered in WST,
2. Per [20 CFR 680.210](#), determined to be in need of training services in order to obtain or retain employment through an interview, evaluation, or assessment, followed by career planning;
 - a. The interview, evaluation, or assessment must demonstrate that the individual:
 - i. Is unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services alone;
 - ii. Is in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment;
 - iii. Has the skills and qualifications necessary to successfully participate in the selected program of training services (including work-based learning such as OJT); and
 - iv. Is unable to obtain grant assistance from other sources to pay for the cost of training.
 - b. Career planning must identify a program of training services that is directly linked to employment opportunities in the local area or in another area to which the individual is willing to commute or relocate;
3. Determined eligible using a comprehensive adult or dislocated worker eligibility determination, and
4. Enrolled in adult or dislocated Worker.

As part of the aforementioned eligibility process, individuals must receive, *at a minimum*, an interview, evaluation or assessment and career planning or other means by which eligibility for WIOA title I-funded training services can be determined. While this typically constitutes a basic or individualized career service, there is no requirement that career services first be provided as a condition of receiving training services ([20 CFR 680.220](#)). To this end, adult and dislocated worker programs may utilize a determination of need for training services and career planning conducted by another program or agency, such as Employment Service programs or training vendors, provided that the determination meets the requirements in part 2 above.

Note: This policy covers eligibility requirements for training services under WIOA title I programs only. This policy does not apply to training services provided by other programs such as WorkFirst or Trade Assistance Act.

1.3.1. Incumbent Worker Training

Incumbent worker training (IWT) is a type of training service that has unique eligibility requirements. IWT can be funded with WIOA title I adult, dislocated worker, and statewide activities funds but does not require the incumbent worker to be eligible for and enrolled in an adult or dislocated worker program. Refer to [SWC Policy W414 – Incumbent Worker Training](#) for detailed eligibility guidelines for incumbent workers and employers as well as requirements for incumbent worker training contracts.

1.4 Supportive Services

Supportive services provide financial assistance to adults and dislocated workers when necessary for these individuals to participate in career or training services or when necessary to gain or retain employment. Supportive services include, but are not limited to, assistance with transportation, childcare, dependent care, housing, uniforms/work attire, and tools. For additional examples of supportive services and guidelines on

providing them, refer to [SWC WIOA Title I Policy W409, R6 – Supportive Services](#). To receive adult or dislocated worker-funded supportive services individuals must be:

1. Registered in WST,
2. Per [20 CFR 680.910](#):
 - a. Determined necessary to enable individuals to participate in career or training activities or to gain or retain employment¹, and
 - b. Unable to obtain supportive services through other programs providing such services,
3. Determined eligible using a comprehensive adult or dislocated worker eligibility determination, and
4. Enrolled in adult or dislocated Worker.

¹ Per [TEGL 19-16](#) and [SWC WIOA Title I Policy W409, R6](#), supportive services can be provided to WIOA title I adults and dislocated workers during participation or follow-up subject to having also received a career or training service (i.e., supportive services cannot be the only service in a participant record). If supportive services are determined necessary for the individual to gain or retain employment, this need must be determined through a basic assessment, career / vocational counseling, development of an individual employment plan, assessment during follow-up or some other form of assessment. The supportive service can be recorded on or after the date of the career or training service and should include a case note explaining how the supportive service connects to a career or training service.

Per [TEGL 10-16](#) and [TEGL 19-16, Attachment II](#), individuals in incumbent worker training are not eligible to receive supportive services unless they meet eligibility for and are co-enrolled into either the WIOA title I adult or dislocated worker programs and receive a qualifying career service or training. In other words, supportive services cannot be provided to individuals who are in incumbent worker training only.

Note: Food and groceries are prohibited as supportive services as DOL has determined that they are beyond the scope of WIOA (see [SWC WIOA Title I Policy W409, R6](#)).

1.5 Youth Services

Services provided under WIOA title I youth programs, while similar or identical in nature to career and training services described in sections 1.1 – 1.4 above, have unique requirements that differ from services provided under adult, dislocated worker, and employment service programs. To receive youth-funded services, individuals must:

1. Be registered in WST,
2. Be determined to be in need of youth services through an objective assessment identifying both strengths and areas for improvement. This assessment must identify academic levels, skill levels, and service needs through a review of ([TEGL 21-16](#)):
 - a. Basic skills - An assessment of basic skills identifies an individual's ability to read, write, speak English, and compute or solve problems that are necessary to function on the job, within their family, or in society. For purposes of the basic skills assessment portion of the objective assessment, service providers may use any formalized testing instrument designed to measure skills-related gains or may use a less formal assessment technique such as observation, folder review, or interview. Service providers may use previous basic skills assessment results if such previous assessments have been conducted within the past six months. For more information on assessing basic skills, refer to [Section 5.8](#) below.
 - b. Career-related skills – Career-related skills include occupational skills, employability, interests, and aptitudes. These skills may be assessed using an assessment tool or through a less formal assessment such as a folder review or interview.
 - c. Prior work experience – Prior experience includes prior jobs, internships, volunteering experiences, and career-related hobbies. Prior experience may be documented using an assessment tool or through a less formal assessment such as a folder review or interview.
 - d. Developmental needs – These needs relate to personal development skills and include, but are not limited to, skills such as goal setting, communication, collaboration, conflict resolution, work ethic, and adaptability. Developmental needs may be documented using an assessment tool or through a less formal assessment such as a folder review or interview.

3. Have an individual service strategy developed based on needs identified in the objective assessment that:
 - a. Is directly linked to one or more indicators of performance,
 - b. Identifies career pathways that include education and employment goals,
 - c. Considers career planning (see Definitions above), and
 - d. Prescribes achievement objectives and service strategy.
4. Determined eligible using an in-school youth or out-of-school youth eligibility determination, and
5. Enrolled in in-school youth or out-of-school youth.

Note: Per [TEGL 21-16](#) supportive services for WIOA title I youth can be provided either during participation or after exit as program elements 7 and 9, respectively.

2. WIOA Title I Youth Program Eligibility Requirements

Youth program requirements are distinguished by In-School youth and Out-of-School youth, which have different eligibility requirements.

2.1 In-School Youth

Individuals must meet the following eligibility guidelines to be In-School youth:

- U.S. citizen or otherwise legally entitled to work in the US;
- Attending school¹ – an individual enrolled in any secondary or post-secondary education program, with the following exceptions:
 - An individual who is between school years but is enrolled to continue school in the fall is considered in-school; or
 - An individual only enrolled in non-credit-bearing postsecondary classes is considered out-of-school;
- Age 14 through 21;
- Selective Service registration for males who are 18 years of age 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);
- Low-income individual (see [Section 2.3](#) for guidance on determining low-income status); and
- One or more of the following:

Category 1	An individual who is basic skills deficient (see Section 5.8 below)
Category 2	An English language learner (see Section 5.8 below)
Category 3	An offender ²
Category 4	A homeless individual or runaway youth (see Definitions above)
Category 5	An individual who is in foster care, who has aged out of the foster care system, who has attained 16 years of age and left foster care for kinship guardianship or adoption, who is eligible for assistance under the Foster Care Independence Program (Section 477 of the Social Security Act), or who is in an out of home placement
Category 6	An individual who is pregnant or parenting ³
Category 7	An individual with a disability
Category 8	An individual who requires additional assistance to complete an educational program or to secure or hold employment. SWC locally defines additional assistance as: <ol style="list-style-type: none"> a. Personal/family substance abuse b. Gang involved/affiliated/affected

	<ul style="list-style-type: none"> c. Lacking affordable housing d. Victim of domestic violence/sexual or child abuse e. Identified social adjustment or mental health issue(s) f. Lacking a significant or positive work history g. Individual or member of a family that recently exhausted TANF benefits h. Individual who is at-risk of dropping out of school, defined as: <ul style="list-style-type: none"> • One or more grade levels below the age-appropriate grade; • Has at any time been a school dropout or is not attending school consistently; or • 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 <p>Other additional assistance for education or employment not listed can be submitted to the Spokane Workforce Council (SWC) for consideration of approval prior to program participation.</p>
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1. In Washington, state statutes for the Office of Superintendent of Public Instruction ([RCW 28A.200](#) and [28A.225.010\(4\)](#)) articulate the requirements for being recognized as home-schooled individuals. Individuals whose home-schooling activity meets those requirements can seek eligibility as ISY; if not, they need to meet OSY eligibility criteria.
2. The term “offender” means an individual who:
 - Is or has been subject to any stage of the criminal justice process; or
 - Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Youth who have been charged with an offense, but subsequently directed to community-based diversion programs rather than the formal court system, meet the definition of having been “subject to any stage of the criminal justice process” due to having been charged with an offense, even though they have not been remanded to the court system.
3. An individual who is parenting can be a mother or father, custodial or non-custodial, and the age the youth becomes a parent does not factor into this definition as long as the youth is within the WIOA youth age eligibility. One important distinction is that the father does not attain parenting status under WIOA until the child is born; that status does not convey to the father during pregnancy. To be clear, only the expectant mother can be a pregnant individual.

2.2 Out-of-School Youth

Individuals must meet the following eligibility guidelines to be Out-of-School youth:

- U.S. citizen or otherwise legally entitled to work in the US;
- Not attending school¹ – an individual not enrolled in any secondary or post-secondary education program, with the following exceptions:
 - An individual who is between school years but is enrolled to continue school in the fall is considered in-school; or
 - An individual only enrolled in non-credit-bearing postsecondary classes is considered out-of-school;
- Age 16 through 24;
- Selective Service Registration for males who are 18 years of age 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 or more of the following:

Category 1	A school dropout ²
Category 2	A youth who is within the age of compulsory school attendance ³ , but has not attended school for at least the most recent complete school year calendar quarter
Category 3	A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual (see Section 5.7), and <ul style="list-style-type: none"> a) Is basic skills deficient (see Section 5.8) or b) An English language learner (see Section 5.8)
Category 4	An individual who is subject to the juvenile or adult justice system ⁴
Category 5	A homeless individual or runaway youth (see Definitions above)

Category 6	An individual who is in foster care, who has aged out of the foster care system, who has attained 16 years of age and left foster care for kinship guardianship or adoption, who is eligible for assistance under the Foster Care Independence Program (Section 477 of the Social Security Act), or who is in an out of home placement
Category 7	Pregnant or parenting ⁵
Category 8	An individual with a disability
Category 9	<p>A low-income individual (see Section 5.7) who requires additional assistance to enter or complete an educational program or to secure or hold employment.</p> <p>SWC locally defines additional assistance as:</p> <ol style="list-style-type: none"> Personal/family substance abuse Gang involved/affiliated/affected Lacking affordable housing Victim of domestic violence/sexual or child abuse Identified social adjustment or mental health issue(s) Lacking a significant or positive work history Individual or member of a family that recently exhausted TANF benefits <p>Other additional assistance for education or employment not listed can be submitted to the Spokane Workforce Council (SWC) for consideration of approval prior to program participation.</p>

- Under WIOA, youth attending high school equivalency (HSE) programs, including those considered to be dropout re-engagement programs, that are funded by the public K–12 school system and that are classified by the school system as still enrolled in school, are considered ISY. However, because Washington’s Open Doors program, which is cited in state RCW and WAC, recognizes a range of models or approaches with varying degrees of school or school district engagement, DOL acknowledges that Washington’s in-school youth (ISY) and out-of-school youth (OSY) determination is situational and depends on the degree to which schools and school districts are service providers and funders in dropout re-engagement programs. If schools or school districts, despite having enrolled the youth into school, largely cede service provision to other entities (e.g., WIOA title I youth providers, community-based organizations, non-profits), have minimal financial investment, and require little or no district-based accountability of participants, youth in those programs can be designated OSY. Conversely, if schools or school districts are substantially directive, invested, and accountable (e.g., WIOA title I youth program only provides supportive services to participants), those youth should be designated ISY. This also applies to dropout re-engagement programs not connected to Open Doors. Based on these guidelines, service providers must thoroughly document OSY designation when youth participants in dropout re-engagement programs are enrolled in school.
- The term “School Dropout” means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent.
- In Washington State, the age of compulsory school attendance is eight (8) years of age to under 18 years of age. For the purpose of WIOA title I out-of-school youth, that encompasses 16- and 17-year-olds.
- The term “an individual who is subject to the juvenile or adult justice system” means an individual who:
 - Is or has been subject to any stage of the criminal justice process; or
 - Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Youth who have been charged with an offense, but subsequently directed to community-based diversion programs rather than the formal court system, meet the definition of having been “subject to any stage of the criminal justice process” due to having been charged with an offense, even though they have not been remanded to the court system.
- An individual who is parenting can be a mother or father, custodial or non-custodial, and the age the youth becomes a parent does not factor into this definition as long as the youth is within the WIOA youth age eligibility. One important distinction is that the father does not attain parenting status under WIOA until the child is born; that status does not convey to the father during pregnancy. To be clear, only the expectant mother can be a pregnant individual.

2.3 Low Income Determinations for Youth Programs

All In-school youth and any out-of-school youth determined eligible under categories 3 or 9 require an individual to be low-income except where an exemption is met under Section 2.4 below. Guidelines regarding income determinations are described in [Section 5.7](#) of this handbook.

2.4 Exceptions to Youth Eligibility Requirements

- Exemption from low-income requirement** – In any single program year, no more than 5 percent of a local area’s total youth participants can be those who have a low-income eligibility requirement

(in-school youth or out-of-school youth in Category 3 or 9) but are not low income ([20 CFR 681.250](#)).

- **Limitation on in-school youth requiring additional assistance** – In any single program year, no more than 5 percent of a local area’s total in-school youth participants can be those who require additional assistance to complete an educational program or to secure or hold employment (Category 8) ([WIOA Section 129\(a\)\(3\)\(B\)](#)).

3. WIOA Title I Adult Program Eligibility Requirements

3.1 Adult Program Requirements

Individuals must meet the following eligibility criteria for the adult program:

- U.S. citizen or otherwise legally entitled to work in the US;
- Age 18 or older; and
- Selective Service Registration for males who are 18 years of age 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).

3.2 Priority Selection for Adult Programs

Priority selection is established for, and service providers must target, certain populations in accordance with [TEGL 07-20](#). These targeted populations must first meet the eligibility requirements for the adult program as described in Section 3.1 above.

When using WIOA adult funds to provide individualized career services, training services, or both, priority must be given to recipients of public assistance, other low-income individuals, individuals who are basic skills deficient (including English language learners), and other individuals as established by the Governor or SWC. In addition to the statutory priority for WIOA adult funds, priority for veterans and eligible spouses must also be considered ([WorkSource System Policy 1009, R3](#)). The SWC does not consider supportive services subject to this priority requirement. There are no priority requirements to provide basic career services or supportive services; they may be provided to any eligible adult ([TEGL 19-16](#)).

When seeking individualized career or training services funded by WIOA adult, individuals must be assessed to determine their priority level. Individuals must be given priority to these services in order of their priority level. The matrix below describes the order and rationale for prioritization. For purposes of this section, the term “covered persons” refers to veterans and eligible spouses as defined in [Section 5.3](#) of this handbook.

Priority requirements for enrollment and service delivery in an adult program are as follows:

Priority	Mandatory Priority Group
First	Covered persons (veterans and eligible spouses) who are recipients of public assistance, other low-income individuals (see Section 5.7 below), or are basic skills deficient (see Section 5.8 below).
Second	Non-covered persons who are recipients of public assistance, other low-income individuals, or are basic skills deficient.
Third	Covered persons who are not recipients of public assistance, not other low-income individuals, and not basic skills deficient.
Fourth	Non-covered persons who are from Black; Asian; Native Hawaiian, Compact of Free Association (COFA) nations, and Pacific Islander communities; Latinos; Lesbian, Gay, Bisexual, Transgender, and Queer or Questioning (LGBTQ) communities; expectant persons. ¹
Fifth	Non-covered persons who are not recipients of public assistance, not other low-income individuals, and not basic skills deficient, but who are determined to be in need of individualized career, supportive, and/or training services to obtain or retain employment. ²

1. The Governor has established an additional priority group beyond minimum WIOA adult eligibility ([WorkSource Information Notice 0128 - Gubernatorial designation of additional populations with barriers to employment](#)).

2. The SWC has established an additional priority group beyond minimum WIOA adult eligibility ([WorkSource System Policy 1019, Revision 8 - Section 3.c.iii – Local Responsibilities](#)).

Note: Per [TEGL 7-20](#), in each program year at least 50.1 percent of all participants that have received individualized career services or training services funded by WIOA adult must be from one of the first, second, or third adult priority populations described above.

3.3 Priority Selection for Career Services and Training Services Funded with WIOA Statewide Activities Funds

For purposes of WIOA title I statewide activities funds, the Governor has determined that these funds will be prioritized as follows:

1. Eligible veterans and spouses;
2. Unemployed individuals;
3. Low-income individuals;
4. Black; Asian; Native Hawaiian, Compact of Free Association (COFA) nations, and Pacific Islander communities; Latinos; Lesbian, Gay, Bisexual, Transgender, and Queer or Questioning (LGBTQ) communities; expectant persons;
5. Other Washington job seekers.

As indicated by the first priority, recipients of WIOA statewide activities funds must continue to provide priority selection of veterans for career and training services as required under Public Law 107- 288 “Jobs for Veterans Act” and in alignment with [WorkSource System Policy 1009, Revision 3](#). In applying this policy to such projects, veterans who are unemployed and/or low-income have priority over all other individuals served under these projects.

NOTE: WIOA Title I statewide funds may contain additional eligibility requirements as defined by the project.

4. WIOA Title I Dislocated Worker Program

4.1 Dislocated Worker Program Requirements

Individuals must meet the following eligibility guidelines for the dislocated worker program:

- U.S. citizen or otherwise legally entitled to work in the US;
- Selective Service Registration for males who are 18 years of age 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 table below).

When determining dislocated worker eligibility, the most recent position of employment held by an individual, excluding stop-gap employment, is to be used as the basis for a determination of eligibility in the dislocated worker program under all categories. If an event occurs that qualifies an individual for the dislocated worker program under category 4 – Displaced Homemaker, and this is after the most recent position held by the individual or the individual has no work history, that event is to be used as the basis for a determination of eligibility instead of the most recent position held by the individual.

The table below is meant to provide clarity on the requirements within each dislocated worker category. Military Service Members (Category 5) have been included as an individual category to allow for specificity, though it is commonly understood that this category falls under the General Dislocation category (1). Refer to [Section 5.9](#) for guidance related to the impact of Washington’s Marriage Equality Act.

Dislocated Worker Eligibility Categories	
Category	Criteria
1. General Dislocation	1.1 An individual who has been terminated or laid off, who has received a notice of termination or layoff ¹ , or who is the spouse of a member of the Armed Forces and who has lost employment as a result of the spouse’s discharge from the military; AND
	1.2 Is determined unlikely to return to previous industry or occupation ² ; AND
	1.3.1 Is eligible for or has exhausted entitlement to unemployment compensation; OR
	1.3.2 Is not eligible for unemployment compensation but can show attachment to the workforce of sufficient duration ³ .

2. Dislocation from Facility Closure / Substantial Layoff	<p>2.1 An individual who was terminated, laid off, or received a notice of layoff¹ from employment at a plant, facility, or enterprise as a result of permanent closure or substantial layoff⁴;</p> <p>OR</p> <p>2.2 An individual employed at a facility at which the employer has made a general announcement that the facility will close within 180 days⁵.</p>
3. Self-employed Dislocation	<p>3. Was self-employed (including employment as a farmer, rancher, or a fisherman), but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters⁶.</p>
4. Displaced Homemaker	<p>4.1.1. An individual who was dependent on the income of another family member⁷ and is no longer supported by the income of that family member;</p> <p>OR</p> <p>4.1.2. Is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, or a service-connected death or disability of the member;</p> <p>AND</p> <p>4.2 Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.</p>
5. Dislocated / Separating Military Service Members	<p>5. A non-retiree military service member who was discharged or released from service under <u>other than dishonorable</u> or has received a notice of military separation (defined by SWC see Section 4.2.1 below). Per 20 CFR 680.660, discharged or separating military service members automatically qualify as unlikely to return to a previous industry or occupation and as eligible for or exhausted entitlement to Unemployment Insurance.</p> <p>Note: Dislocated military service members are eligible for Veteran Priority of Service (see Section 5.3 below). Separating military service members are not eligible for POS until they are discharged from service.</p>
6. Spouses of Military Service Members	<p>6.1 The spouse of a member of the Armed Forces on active duty, and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member;</p> <p>OR</p> <p>6.2 The spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.</p> <p>Note: A military spouse may also qualify as a general dislocated worker (Category 1) or a displaced homemaker (Category 4). Refer to Section 4.2.2 below.</p>

¹ An individual who has had their hours reduced, but is still employed, is considered to be a partial layoff and meets the definition of being laid off for the purposes of Criteria 1.1 and 2.1. Individuals in this circumstance are subject to the requirements for employed individuals in [Section 5.6](#) below.

² The term “Unlikely to return to a previous industry or occupation” means the status of an individual as having limited opportunities for employment or re-employment. This could include personal and/or confidential information and needs to be determined on a case-by-case basis. Any of the following criteria can be used to establish an individual as unlikely to return to a previous industry or occupation:

- The industry and/or occupation is balanced, in decline, or the job has become obsolete based on local labor market information (see Definitions above).
- The individual lacks the required education, credentials, and/or experience based on local labor market information.
- The individual's wage from their job of dislocation is significantly higher than local labor market information indicates.
- The individual is considered long-term unemployed, defined as 27 or more consecutive weeks of being unemployed.
- The individual is not able to work in another capacity in the occupation or industry 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 or is no longer able to report to work due to the environment of the industry.
- The individual is not able to work in another capacity in the occupation or industry from which he or she was dislocated because of a legal issue that creates a barrier to employment specifically in that occupation or industry.

Note 1: an individual who is on standby, as defined in [WAC 192-110-015](#), or has a return to work date that is 8 weeks or less from the point of application for the WIOA program is considered likely to return to their previous industry or occupation except when a physical or mental limitation prevents them from returning to work in their previous industry or occupation.

Note 2: Military spouses who lose employment as a result of their spouse's discharge are considered unlikely to return to a previous industry or occupation.

3. The term “Attachment to the workforce” means any labor performed in any occupation where the employee has worked two full pay periods or one month, whichever is less but is not eligible for unemployment compensation due to currently being employed and having received a notice of termination or layoff, having insufficient earnings, or having performed services for an employer that were not covered under a State unemployment compensation law ([WIOA Sec 3\(15\)\(A\)\(ii\)\(II\)](#)).
4. The term “Substantial layoff” means the termination or layoff of at least 25% or 50 staff (whichever is lower) of a company’s workforce that is not the result of a facility closing and which results in an employment loss at a single site of employment during any 30-day period.
5. The term “General announcement that the facility will close within 180 days” means a statement made to employees of the facility, the media, or the general public, that the facility will be permanently closed within 180 days or less as of the date of the announcement.
6. The term “Unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters” means an individual who is unemployed from self-employment due the failure, closure, or substantial layoff of one or more business in the area in which the individual resides that had a direct effect on the individual’s self-employment.
7. Per [TEGL 26-13](#), individuals cannot cite long-term partners to whom they were not married as family members. Individuals can cite adult children upon whom they were financially dependent as family members so long as it is appropriately documented.

4.2 Serving Non-Retiree Military Service Members and their Spouses

4.2.1. Non-Retiree Military Service Members

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 for dislocated worker programs based on the “termination” criteria under Category 1 – General Dislocation, criterion 1.1. 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. Note: Retirement orders do not qualify as “terminated” or “laid off.”

Veterans and other covered persons determined eligible for dislocated worker programs are given priority for services according to the Jobs for Veterans Act and WorkSource ([WorkSource System Policy 1009 Revision 3 – Priority of Service](#)).

The following serves as an outline of dislocated worker eligibility criteria under Category 1 – General Dislocation, as it applies to discharged and separating military service members:

[TEGL 22-04](#) states that 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 dislocated worker services, they are not ‘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 DEV requirement for “Date of Actual Qualifying Dislocation” (refer to Section 6).

The SWC has established a designated timeframe of up to 12 months prior to planned separation during which still active, transitioning service members are eligible to receive dislocated worker services. Length of service to qualify an individual for such discharges or separations may be as few as one day of service.

4.2.2. Spouses of Military Service Members

WIOA allows for significant flexibility to serve military spouses. 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, Iraq, Syria). Washington’s Marriage Equality Act expands the definition of a “married couple” beyond that of a male and female. Refer to [Section 5.9](#) for guidance related to Washington’s Marriage Equality Act. A military spouse can be determined eligible as a general dislocated worker under category 1, a displaced homemaker under category 4, or a dislocated military spouse under category 6.

A military spouse is eligible as a dislocated worker when ([TEGL 19-16](#)):

- The spouse of a member of the Armed Forces who loses employment as a result of the spouse’s discharge from the military and is eligible for unemployment insurance under “good cause” for voluntary quits. Military spouses who lose employment as a result of their spouse’s discharge are considered unlikely to return to a previous industry or occupation (Category 1);
- The dependent spouse of a member of the Armed Forces on active duty whose family income is significantly reduced because of a deployment, a call or order to active duty under a provision of

law, a permanent change of station, or service-connected death or disability and who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment (Category 4);

- The spouse of a member of the Armed Forces on active duty who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station (Category 6); or
- The spouse of a member of the Armed Forces on activity duty who is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment (Category 6).

Military spouses can also be served as first or third priority under the WIOA title I adult program (see [Section 3](#) above).

4.3 Stop-Gap Employment

Stop-gap employment is temporary work an individual accepts only because they have been laid off or terminated from the customary work for which their training, experience, and/or work history qualifies them. Stop-gap employment must be temporary in nature with the intent to end employment upon completion of training, obtaining employment with comparable wages from previous employment, or as specified through career planning.

Typically, stop-gap employment will pay a wage that is not comparable to wages earned from previous employment. Comparable wages are defined by the SWC as gross income that is at least 90% of their monthly gross income from previous employment. Stop-gap employment also covers temporary work that may or may not provide a comparable wage, such as contract employment or employment obtained through a temporary employment services agency. Temporary employment is defined as employment that lasts 6 months or less, regardless of wage. Additionally, the special needs of individuals with disabilities or other barriers to employment (such as displaced homemakers) may be taken into account when determining if employment leads to comparable wages. These circumstances should be looked at on a case-by-case basis and documented clearly in the participant's physical or electronic file.

Otherwise eligible dislocated workers remain eligible if either prior to or during dislocated worker program participation, stop-gap employment is obtained. If dislocation from a stop-gap position occurs, the job of dislocation remains the original job that established the comparable income. If, at any time, an individual obtains employment that meets the definition of comparable wages or exceeds the criteria for temporary employment, then that position would be considered the job of dislocation in the event of a future dislocation.

4.4 UI Good Cause Voluntary Quits

Individuals are considered terminated for the purposes of dislocated worker eligibility if they file and are approved for Unemployment Insurance (UI) benefits after having been determined by the Employment Security Department (ESD) as having voluntarily left employment due to no fault of their own for one of the following good cause reasons (RCW 50.20.050; WAC 192-150):

- Illness or disability of the claimant or death, illness, or disability of an immediate family member.
- Relocate to follow spouse's or registered domestic partner's employment.
- Need to protect the claimant or immediate family member from domestic violence or stalking.
- Usual hours, compensation, or benefits are reduced by 25 percent or more.
- Involuntary change in work site or location (no minimum distance or mile threshold).
- Work site safety has deteriorated.
- Illegal activities at work site
- Usual work changed to work that violates religious or moral beliefs.
- Left part-time work to accept full-time job that was eliminated without prior knowledge.

Under these circumstances, ESD recognizes claimants as terminated even though they, rather than their employers, are the moving party.

5. Additional Program Guidance

5.1 U.S. Citizenship or Legal Right to Work in the U.S.

As outlined in sections 2.1, 3.1 and 4.1, verification of U.S. citizenship or legal right to work for all WIOA title I programs is required. The SWC allows for self-attestation as a minimum documentation requirement, but service providers may choose to require commonly used [I-9 documentation](#) (such as driver's license or ID cards along with Social Security cards) for individuals seeking services under WIOA title I programs. Other documentation may only be used to supplement self-attestation or accepted I-9 documentation.

5.2 Selective Service Requirements

To be eligible to receive WIOA title I-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 SWC 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](#), including acceptable documentation to determine registration status and procedures for determining whether or not failure to register was knowing and willful.

Note: The SWC utilizes the Integrated Service Delivery (ISD) Model as described in [ESD WorkSource System Policy 1023, R1 – Co-enrolled Integrated Service Delivery Policy and Operations Manual](#) and [SWC WorkSource System Policy WS815, R2 – Co-enrollment and Integrated Service Delivery Policy](#). Under this model, Washington state has expanded the allowable forms of documentation of registration status to include self-attestation when determining eligibility to receive WIOA title I-funded basic career services only. Self-attestation is not an allowable form of documentation for Selective Service registration when determining eligibility to receive WIOA title-I funded individualized career, training, supportive, and youth services.

These requirements apply to transgender females. Selective Service registration requirements are based on the gender assigned at birth and not on gender identity or gender reassignment. Individuals who are born male and change their gender identity or assignment to female are required to register. Individuals who are born female and change their gender identity or assignment to male are not required to register (see exemptions below).

5.2.1. Selective Service Requirements for Males 25 Years and Under

Before being enrolled in WIOA title I services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the [Selective Service System website](#) 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. citizen male on a valid non-immigrant visa). Males turning 18 while participating in WIOA title I-funded services must complete Selective Service registration no later than 30 days after becoming 18 in order to continue to receive WIOA title I services. Males between 18 and 25 years of age who refuse to register with the Selective Service must be suspended from WIOA title I services until registered.

5.2.2. Selective Service Requirements for Males 26 Years and Over

Before enrolling in WIOA title I 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.

5.2.3. Exemptions to Selective Service Requirements

Selective Service registration is not required if the man falls within one of the following categories:

1. Males on current non-immigrant visas as long as they remain on valid visas up until they turn 26.
2. Male nationals or citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or Palau who reside in the U.S. for less than one year (non-habitual) under any status or are in the U.S. as employees of the government of their homeland or as students who entered the U.S. for the purpose of full-time studies as long as they maintain that status.

3. Males who were neither citizens nor residents of the United States from 30 days before they turned 18 through the age of 25.
4. Hospitalized or incarcerated males who can prove they were continuously institutionalized or confined from 30 days before they turned 18 through the age of 25.
5. Males serving in the military on full-time active duty if they served continuously from age 18 to through age 25.
6. Males attending U.S. military service academies.
7. Transgender males (born female but identify as or transitioned to male).

An individual who is exempt must provide acceptable documentation demonstrating this status as defined in Section 6 below. A list of acceptable documents for immigrants/nonimmigrants can be found [here](#). Documentation for other forms of exemptions can be found on the [SSS website](#). An individual who is unable to provide documentation of an exemption is considered to have failed to register and may submit an exception request to WorkSource for determination of knowing and willfully failing to register for the Selective Service as described in section 5.2.4. below.

5.2.4. Determining Knowing and Willful Failure to Register

[TEGL 11-11, Change 2](#) provides the SWC with detailed information for developing a process for granting exceptions due to an individual's failure to register for the Selective Service.

Regarding requesting a Status Information Letter described in [ESD Policy 1019, R8](#), the SWC has chosen to initiate the process to determine if the potential participant's failure to register was knowing and willful without first requesting a Status Information Letter.

An individual who did not register and is 26 years of age or older may submit a signed and dated statement and documentary evidence that their failure to register was not knowing or willful to a WorkSource System staff member. Individuals should be encouraged to offer as much evidence and in as much detail as possible to support their case. WorkSource will make a determination using a set of relevant questions, the written statement from the individual requesting the exception, and evidentiary documentation (i.e., information that establishes through a preponderance of evidence that the reason for not registering was not knowing and willful). Because circumstances will vary and need to be considered on a case-by-case basis, there is not an exhaustive list of acceptable evidence.

Examples of questions that may assist in determining whether the failure was "knowing," as appropriate:

- Was the individual aware of the requirement to register?
- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him (e.g., veterans who were discharged before their 26th birthday were occasionally told that they did not need to register)?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18 and 26?

Examples of questions that may assist in determining whether the failure was "willful," as appropriate:

- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to register?
- What actions, if any, did the individual take when he learned of the requirement to register?

Documentation that is used to support a determination of not knowing or willful failure will vary from circumstance to circumstance and by availability and should be considered on a case-by-case basis. Documentation used should be relevant to the individuals' circumstances. Examples of documentation include:

- Documentation establishing date of birth, such as a driver's license;

- Evidence that a man has served honorably in the U.S. Armed Forces such as DD Form 214 or his Honorable Discharge Certificate;
- Evidence of participation in a military service academy;
- Referral from an offender reentry program;
- Birth certificate and legal name change documentation for a female that has transitioned to male;
- Affidavits from parents, teachers, employers, doctors, etc.;
- Documentation showing a man was living outside of the US between the ages of 18 and 26, such as school records, employment records, rent or utility receipts, participation in a health insurance plan, tax returns, etc.;
- Documents that establish first date of entry into the US. A list of acceptable documents can be found [here](#).

If WorkSource determines the failure to register was not knowing and willful and the individual is otherwise eligible, the request must be approved by the SWC before services can be provided. If it is determined that evidence shows the individual's failure to register was knowing and willful, WIOA services must be denied. Individuals denied services must be advised of available WIOA grievance procedures. WorkSource System staff must keep documentation related to evidence presented in determinations related to Selective Service in the individual's file.

Additional guidance on SSS requirements can be found in [TEGL 11-11, Change 2](#) and under the Status Information Letter process and form described on the [SSS website](#).

5.3 Priority of Service for Veterans and Eligible Spouses

All WIOA programs and service delivery must align with federal law, regulations, and guidance on Priority of Service for Veterans. Priority of service entitles eligible veterans or spouses to enrollment and services before eligible non-covered persons. Refer to [WorkSource System Policy 1009 – Priority of Service for Veterans and Eligible Spouses](#) for additional guidance on Priority of Service. Refer to [Section 3.2](#) for specific guidance on priority for service under the adult program.

5.4 Assisting Victims of Human Trafficking

This guidance is appropriate for comprehensive, affiliate, or specialized 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 [TEGL 9-12](#) which 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.

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

Many victims of trafficking do not self-identify. The role for staff is to recognize the characteristics of potential victims of trafficking and refer them to the proper authorities and resources. See [TEGL 9-12](#) Attachments A and B for information on how to identify potential victims of trafficking and a current list of hotlines that one-stop staff can call to get help for potential victims.

5.4.2. Employment and Training Services for Victims of Human Trafficking

U.S. citizens or lawful residents who are victims of trafficking can receive the same services provided to the general public under WIOA. In addition, under the Traffic Victims Protection Act, certain foreign nationals are also eligible for WIOA title I services. This includes victims of both a severe form of trafficking in persons and individuals granted a nonimmigrant "T" (trafficking) visa.

To be eligible for WIOA 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 WIOA title I services.

Individuals who are granted “T” visas from the Department of Homeland Security (DHS) are also eligible for WIOA title I services. The “T” nonimmigrant 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 individuals. 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.

5.4.3. Offering Information and Referrals to Other Wrap-around 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 non-profit 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.

5.5 Use of Unemployment Insurance Self Service Website

[WorkSource Information Notice \(WIN\) 0027, Change 4](#) provides information on the use of data accessible to Unemployment Insurance (UI) customers. Customers should be encouraged to access their own wage and claim data through the eServices website using their Secure Access Washington (SAW) accounts. Through the eServices site, customers select “Look at your past wages” and can print information on:

- Hours and wages as reported by Washington employers.
- Limited information about their most recent unemployment claim, such as:
 - Claim status;
 - Weekly benefit amount (if applicable)

Customers must establish a SAW account to access their information. Some customers may already have a SAW account if they signed up for WorkSourceWA.com or with another state agency such as the Department of Licensing or Department of Labor and Industries.

WorkSource Staff may not access customers’ unemployment insurance (UI) data through the eServices site. However, staff can assist customers with:

1. Creating or accessing their SAW account;
2. Contacting the SAW Enabled Agency Program (SEAP)/SAW help desk (1-855-682-0785) for support with eServices SAW account issues;
3. Navigating the eServices website; or
4. Accessing and printing information that customers need through the “Wage Page” after all self-service options have been exhausted, or if the customer is under severe time constraints. The “Wage Page” is an ESD Intranet site that staff can access to print customers’ wage and basic claim information.

5.6 Eligibility for Employed Individuals under WIOA Adult and Dislocated Worker Programs

In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. An individual who is employed may be served in the adult or dislocated

worker program provided they meet the eligibility criteria for that program. When an individual is seeking individualized career or training services, an underemployed individual's need for these services must be established for both adult and dislocated worker programs. Examples of need for underemployed individuals include, but are not limited to, the following:

- Employed less than full-time but actively seeking full-time employment;
- Employed in a position that is inadequate with respect to their skills and training;
- Employed but meets the definition of a low-income individual (see [Section 5.7](#) below); or
- Employed but whose current earnings are not sufficient compared to the local self-sufficiency standard, the individual's income adequacy, or comparable earnings from previous employment (see [SWC Policy W406 R1 – Self Sufficiency](#) for more information).

Individuals who are underemployed may qualify for the adult program and those who meet the definition of a low-income individual may receive career and training services on a priority basis under the adult program per [Section 3.2](#) above.

Individuals who are underemployed may qualify for the dislocated worker program when their current employment does not meet the needs identified in this section and/or is stop-gap in nature per [Section 4.3](#) above.

An individual who has received a notice of termination or layoff (including notice of military separation) or is subject to a notice of facility or enterprise closure, is not subject to these guidelines.

These guidelines do not apply WIOA youth program eligibility ([ESD WorkSource System Policy 1019, R8](#)).

5.7 Income Status, Verification, and Family Size

5.7.1. Low Income Status

The SWC maintains guidelines that are used to evaluate low-income status. These guidelines, as well as determining includable income over the last 6 months, family size, and dependents, are used to determine low-income status for relevant WIOA title I programs. Low-income status is defined as follows:

1. An individual who receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through:
 - a. the supplemental nutrition assistance program (SNAP) established under the Food and Nutrition Act of 2008 ([7 U.S.C. 2011 et seq.](#)), or
 - b. the program of block grants to States for temporary assistance for needy families (TANF) program under part A of title IV of the Social Security Act ([42 U.S.C. 601 et seq.](#)), or
 - c. the supplemental security income program established under title XVI of the Social Security Act ([42 U.S.C. 1381 et seq.](#)), or
 - d. State or local cash public assistance for which eligibility is determined by a needs or income test; or
2. An individual whose total includable gross family income (see family size below) over the past 6 months does not exceed the higher of either the Federal poverty guidelines or 70% of the Lower Living Standard Income Level (LLSIL – Federal poverty guidelines, the LLSIL guidelines by family size, and types of includable and excludable income are available in [Attachment B](#) of this policy); or
3. A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 ([42 U.S.C. 14043e-2\(6\)](#))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11434a\(2\)](#))); or
4. An individual who receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act ([42 U.S.C. 1751 et seq.](#)); or
5. A foster child on behalf of whom State or local government payments are made; or
6. An individual with a disability whose own gross includable income over the past 6 months does not exceed the higher of either the Federal poverty guidelines or 70% of the Lower Living Standard Income Level (LLSIL), but who is a member of a family whose income does not meet this

requirement. Federal poverty guidelines, the LLSIL guidelines by family size, and types of includable and excludable income are available in [Attachment B](#) of this policy.

Low-income additionally includes youth living in high-poverty areas with [20 CFR 681.260](#) defining a high-poverty area as a Census tract, a set of contiguous Census tracts, Indian Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 30 percent as set every 5 years using American Community Survey 5-year data.

5.7.2. Verification of Family Income

When income status is being determined by comparing an individual’s family income to either the poverty level or the lower living standard income level, income status is based on an individual’s gross family income received for the 6-month period prior to the date eligibility is being determined. The SWC has established what is included or excluded as income in [Attachment B](#). While the SWC has defined these includable and excludable income lists, it is not all-inclusive. For income not on the list, service providers may contact the SWC for guidance. To determine whether an individual is low-income it is also necessary to consider family size (see Section 5.7.3 below) and family income.

Verification of family income is not required when an individual qualifies as low-income due to:

- Receipt of SNAP assistance, TANF, and/or Supplemental Security Income;
- Being a youth living in a high-poverty area or who receives or is eligible to receive free or reduced-price lunch;
- Being a homeless individual; or
- Being a foster child.

Note: Unemployed individuals do not automatically meet SWC parameters regarding income status.

5.7.3. Determining Family Size

For these purposes, “family” under WIOA 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 legal guardian and dependent children; or
- A married couple.

Refer to Section 5.8 below for guidance related to the impact of Washington’s Marriage Equality Act.

NOTE: An individual with a disability whose own income meets the income criteria of Section 5.7.1 above may be considered low-income even if the family of the disabled individual does not meet the income eligibility criteria.

5.7.4. Defining Dependent

WIOA does not define dependent. To avoid uncertainty in making eligibility decisions regarding family size and income, the state has identified three circumstances where youth must be considered as dependents of parents or legal guardians for the purpose of determining family size for WIOA title I youth and adult program eligibility.

1	Youth not yet 18, who are not emancipated youth nor runaway youth, living “at home” with their parents or legal guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household).
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 legal guardians.
3	Youth age 18-24 who are not full-time students and are living “at home” with their parents or legal guardians and who are primarily supported by their parents or legal guardians.

A legal guardian is a blood relative (e.g., grandparent, aunt, or uncle) or another legally recognized relative (e.g., by 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.

The following are exceptions to the family size and defining dependents criteria as identified by the SWC:

- (1) **Independent Individual:** A individual 18 years or older who resides in the family and who, within the last six months, has had any income (includable or excludable) totaling more than 30 percent of the SWC income guidelines for a family of one 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, regardless of the dependent status of the individual.

5.8 Assessing Basic Skills

Basic skills are defined as an individual's ability to read, write, speak English, and compute or solve problems that are necessary to function on the job, within their family, or in society. Assessing an applicant's basic skills is a requirement for eligibility for WIOA youth programs and to receive WIOA adult funded individualized career or training services.

For the purposes of assessing basic skills, service providers may use any formalized testing instrument designed to measure skills-related gains or may use a less formal assessment technique such as observation, folder review, or interview. Service providers are not required to use assessments used in the Department of Education's National Reporting System (NRS), nor are they required to determine an individual's grade level equivalent or educational functioning level (EFL), although use of these tools is permitted. Service providers may use previous basic skills assessment results if such previous assessments have been conducted within the past six months.

The results of a basic skills assessment are used to determine if an individual is basic skills deficient. An individual is considered basic skills deficient (BSD) when the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. Examples of circumstances establishing an individual as BSD include, but are not limited to:

- An individual who is a high school dropout and who does not have a secondary school diploma or its recognized equivalent.
- An individual that has English reading, writing, or computing skills at or below the 8th grade level as determined by a generally accepted standardized test.
- An individual who lacks essential workplace skills, such as basic academic skills, critical thinking, digital literacy, personal maintenance skills, and/or professional conduct skills.
- An individual who has limited ability in speaking, reading, writing, or understanding the English language, and
 - Whose native language is a language other than English, or
 - Who lives in a family or community environment where a language other than English is the dominate language.

5.9 Definition of Long Term Unemployed for National Dislocated Worker Grants

For National Dislocated Worker Grants (NDWG) that do not define *Long-Term Unemployed* and direct States to define the term, Washington defines them as individuals legally entitled to work in the U.S. and of legal working age who are looking for a job, available for work, and:

1. Have never been employed (i.e., no prior attachment to either an employer or self-employment);
2. Have dropped out of the labor force, but desire to return (e.g., discouraged workers – who were not actively looking for work because they did not think they could find work; individuals who took time off to raise a child or care for another family member; individuals who took time off to further their education);
3. Have regular or frequent spells of unemployment (i.e., seasonal or sporadic attachment to work);
4. Are determined ineligible for WIOA Title I Dislocated Worker programs but unemployed for 13 or more weeks;
5. Are under-employed (i.e., working part-time out of necessity but desirous of full-time work; working full-time but wages or working conditions are unsuitable);
6. Are ex-offenders who are unemployed after incarceration;
7. Are currently incarcerated offenders within one year of release;
8. Are individuals who suffered an on-the-job injury, non-work-related injury or illness, were institutionalized, or were victims of a crime and have been out of work as a result; or
9. Are active-duty service members (or spouses) who face involuntary, other than dishonorable, discharge from the military.

5.10 Washington’s Marriage Equality Act

Washington’s Marriage Equality Act ([RCW 26.60](#)) expands the definition of a “married couple” beyond that of a male and female. The federal Respect for Marriage Act of 2022 (Public Law 117-228) further codified this expanded definition. Accordingly, with respect to this policy, the State and Federal definition of a married couple extends beyond that of a male and female.

This expanded definition applies to all WIOA policy guidance and specifically impacts family size, eligible spouses (priority of service), military spouses (dislocated worker eligibility) and displaced homemakers (dislocated worker eligibility).

5.11 Jobs for Veterans State Grant Eligibility

Eligibility for the Disabled Veterans’ Outreach Program (DVOP) under the Jobs for Veterans State Grant (JVSG) is separate and distinct from consideration of both veterans’ and eligible spouses’ priority of service under the WIOA title I adult program (refer to [Section 3.2](#)) or dislocated worker program eligibility for transitioning military service members and eligible spouses (refer to [Section 5.3](#)).

Individuals eligible for case managed DVOP employment and training services include the following:

1. Category 1 - Base eligibility:
 - Veteran discharged from military service with an other-than-dishonorable discharge, AND
 - Served on active duty for more than 180 consecutive days (including Title 10 orders), outside of training, OR
 - Was discharged or released from active duty because of a service-connected disability or sole survivorship, OR
 - Served in support of a conflict or campaign which a campaign or expeditionary badge or medal was authorized.
2. Category 2 - Veterans who meet the criteria in Category 1 and attest to meeting at least one of the following criteria representing a DOL-VETS identified special population:
 - Veterans aged 18-24
 - Vietnam-era Veterans (at least 1 day of service between 2/28/61– 5/7/75)
 - Eligible transitioning service members (TSM), spouses, and caregivers:
 - TSM’s deemed “Not Career Status Ready,” as identified by Department of Defense (DD) Form 2648 – Pre-separation Counseling Checklist.
 - Armed Forces members who are wounded, ill, or injured and receiving treatment in

- a military treatment facility (MTF), warrior transition unit (WTU), or soldier recovery unit (SRU).
 - The spouses or other family caregivers of such wounded, ill, or injured members. Family caregiver is defined as (38 U.S.C. 1720G(d)):
 - The term “caregiver” with respect to an eligible veteran means an individual who provides personal care services to the veteran.
 - The term “family caregiver” with respect to an eligible veteran means a family member who is a caregiver of the veteran.
 - The term “family member” with respect to an eligible veteran means an individual who –
 - Is a member of the family of the veteran, including a parent, a spouse, a child, a step-family member, an extended family member, or
 - Lives with but is not a member of the family of the veteran.
- 3. Category 3 – Veterans who meet the criteria in Category 1 and do not meet the criteria in Category 2, but attest to meeting at least one of the following criteria representing Significant Barriers to Employment:
 - Special disabled veterans and other disabled veterans as defined by 38 U.S.C. 4211, with an emphasis on those who are economically or educationally disadvantaged or pending a rating from the U.S. Department of Veterans Affairs compensation for a disability.
 - Being homeless or in danger of becoming homeless, to include those fleeing or attempting to flee a hostile home environment.
 - Currently or has previously been incarcerated.
 - Receiving or eligible for public assistance (Low Income).
 - Being discharged in the past three years and unemployed for 27 weeks or longer in the past 12 months.
 - Lacking a high school diploma or high school equivalency degree.
 - Separated from the military and discharged due to forced downsizing or Reduction in Force (RIF).
 - Having a Department of Defense (DD) Form 2648 (Pre-separation Counseling Checklist) on which they have been deemed “not career status ready”

5.12 Trade Adjustment Assistance (TAA) Eligibility

Eligibility for Trade Adjustment Assistance (TAA) is based on an affirmative decision by the DOL’s Office of Trade Adjustment Assistance (OTAA) to certify a TAA petition that covers a defined worker group. To that end, OTAA issues to the worker group a decision titled, "Certification Regarding Eligibility to Apply for Worker Adjustment Assistance" that covers all members of the worker group who are separated or threatened with separations during the period beginning one year before the petition was filed and ending two years after the date of the certification. Each certification describes the worker group and specifies the beginning and ending dates.

Certified TAA petitions in Washington, including the “Certification Regarding Eligibility to Apply for Worker Adjustment Assistance,” can be found [on-line](#) on the DOL’s searchable web page for listings of petitions and determinations or by contacting ESD’s State TAA program operator.

Note: All TAA participants must be referred immediately for eligibility determination and enrollment (if eligible) into WIOA title I adult and dislocated worker programs. As identified in SWC Policy WS815 R2, all WorkSource Campus customers must be co-enrolled into all WIOA title I and III funded programs when program eligible and service eligible. Participants of the TAA program must be made aware of their enrollment or declination of enrollment into the WIOA dislocated worker program. ([ESD WIOA Title I Policy 5617, R3](#) and [SWC Policy WS815, R2 Attachment A – Integrated Service Delivery Handbook](#)).

6. Registration and Data Element Documentation Requirements

All individuals seeking services through the WIOA title I or WIOA title III programs must be registered within the state's MIS. The matrix below provides a comprehensive overview of data elements for registration and associated documentation requirements as identified in [WorkSource System Policy 1003, R4](#), TEGL 11-11, Change 2, and TEGL 23-19, Change 2. This matrix also includes local documentation requirements.

6.1 Instructions for the Registration Matrix

6.1.1. Data Element

This column represents all registration data elements requiring valid documentation for WIOA title I youth, adult and dislocated worker programs and WIOA title III employment services programs (Wagner-Peyser).

6.1.2. Registration Requirements and Allowed Documentation

Below are matrices listing data elements required for registration for those seeking basic career services only and those seeking individualized career, training, or youth services. A column is included for each data element indicating which programs it applies to, except where program specific data elements are indicated. While some of these data elements overlap with eligibility criteria outlined in Sections 2, 3, 4, and 5 of this handbook, these elements are for data element validation and do not necessarily impact eligibility determination.

Definitions for each of the elements below can be found in [TEGL 23-19, Change 2](#).

6.1.3. Self-attestation

Self-attestation is the primary method of collecting information for most data elements during registration. An individual applying for WIOA services supplies self-attested information for registration and provides a signature validating the information provided. A WorkSource system staff person must review the information provided with the applicant to ensure the information is correct and provide a signature validating this activity has occurred. An email, text, or unique online survey response can be considered an electronic signature or verification provided it can be traced back to the applicant and WorkSource system staff person.

Self-attestation must occur utilizing the state MIS system's WIOA registration form. Any variables within an element must be identified within the case notes section of the WIOA registration form. In the event that the state MIS is not available, or staff are unable to access it in a timely manner, self-attestation forms are available on the [SWC website](#) for temporary use. All self-attested data collected on these forms must be entered into a WIOA registration form as soon as possible and the forms uploaded to a case note in the state's MIS.

[Under SWC Policy WS815, R2 – Co-enrollment and Integrated Service Delivery](#), service providers can utilize self-attestation to document registration for Selective Service (as applicable) for the purposes of eligibility determinations for WIOA adult and dislocated worker programs so long as those individuals are provided basic career services only. If those participants subsequently pursue individualized career or training services, these data elements must be validated using the corresponding list of criteria prior to service delivery.

6.1.4. Documentation Matrix for Individuals Seeking Basic Career Services Only

When documenting data elements for individuals seeking basic career services only, self-attestation is the method of documentation.

Data Element	Documentation Requirement For:		
	Employment Service (ES)	Adult	DW
Citizen / Legally Entitled to Work in the U.S.	✓	✓	✓
Date of Birth	✓	✓	✓
Disability	✓	✓	✓
Veteran Status	✓	✓	✓
Long-Term Unemployed (LTU)	✓	✓	✓
School Status	✓	✓	✓
Homeless Individual or Runaway Youth	✓	✓	✓
Ex-offender	✓	✓	✓
English Language Learner	✓	✓	✓
Single Parent	✓	✓	✓
Selective Service Registration	N/A	✓	✓
Employment Service Program Specific (Wagner-Peyser)	Migrant and Seasonal Farmworker Designation		
	Migrant and Seasonal Farmworker Status		
Dislocated Worker Program Specific (With the exception of displaced homemaker, all dislocated worker determinations require Date of Actual Dislocation. When documenting category specific requirements, documentation is only required for the category selected)	Date of Actual Dislocation		
	General Dislocation (Category 1)	Layoff / Termination (1.1)	
		Unlikely to Return (1.2)	
		Eligible For / Exhausted UI (1.3)	
	Dislocation from Facility Closure / Substantial Layoff (Category 2)		
	Self-Employed Dislocation (Category 3)		
	Displaced Homemaker (Category 4)		
	Dislocated Military Service Member (Category 5)		
Spouse of Military Service Member (Category 6)			

6.1.5. Documentation Matrix for Individuals Seeking Individualized Career, Training, or Youth Services

When documenting requirements for individualized career, training, or youth services, self-attestation is the preferred method of documentation, however some data elements do not allow for self-attestation as indicated in the “Documentation Allowed” column below. At least one document is required for each applicable data element.

Data Element	Documentation Requirement For:					Documentation Allowed
	ES	ISY	OSY	Adult	DW	
Citizen / Legally Entitled to Work in the U.S.	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> Self-attestation Accepted I-9 Documentation, such as: driver's license / ID card along with Social Security card.
Date of Birth	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> Self-attestation ID card (driver's license; federal, state, local, school, or tribal ID card, passport) Baptismal record Birth certificate DD-214 Report of transfer or discharge paper Hospital record of birth Public assistance/social service records School records Work permit Family bible Justice system records Selective Service registration Signed letter from parent or guardian Medical records
Disability	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> Self-attestation School 504 records provided by student Assessment test results School Individualized Education Program (IEP) record
Veteran Status	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> Self-attestation DD-214 for Veteran or Veteran of eligible spouse Crossmatch with Department of Defense Records Crossmatch with Veterans' service database A letter from the Veterans' Administration
Long-Term Unemployed (LTU)	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> Self-attestation Public assistance records Refugee assistance records Cross-match with public assistance database Cross-match with UI database

School Status	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Intake application or enrollment form • Electronic records • Applicable records from education institution (GED certificate, diploma, attendance record, transcripts, drop out letter, school documentation) • Case notes
Temporary Assistance for Needy Families (TANF)	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> • TANF eligibility verification • TANF period of benefit receipt verification • Referral transmittal from TANF • Cross-match with TANF public assistance records
Exhausting TANF Within 2 Years	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> • TANF eligibility verification • TANF period of benefit receipt verification • Referral transmittal from TANF • Cross-match with TANF public assistance records
Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI)	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> • SSI/SSDI receipt of benefits verification • Referral transmittal from SSA • SSI/SSDI eligibility verification • Cross-match with SSA database
Supplemental Nutrition Assistance Program (SNAP)	✓	N/A	N/A	✓	✓	<ul style="list-style-type: none"> • SNAP eligibility verification • Documentation of SNAP benefit receipt • Referral transmittal from SNAP • Cross-match with SNAP public assistance records
Other Public Assistance Recipient	N/A	N/A	N/A	✓	✓	<ul style="list-style-type: none"> • Authorization to receive cash public assistance • Public assistance check • Medical card showing cash grant status • Public assistance eligibility verification • Cross-match with public assistance records
Homeless Individual or Runaway Youth	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Intake application or enrollment form • Written statement or referral transmittal from a shelter or social service agency • Needs assessment • Case notes • Individual Service Strategy • A letter from caseworker or support provider
Ex-offender	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Documentation from the juvenile or adult criminal justice system • Written statement or referral document from a court or probation officer • Referral transmittal from a reintegration agency • Intake application or enrollment form

						<ul style="list-style-type: none"> • Case notes • Needs assessment • Individual Service Strategy • Federal bonding program application
Low Income ¹	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Award letter from Veteran's Administration • Bank statements • Pay stubs • Compensation award letter • Court award letter • Pension statement • Employer statement/contact • Family or business financial records • Housing authority verification • Quarterly estimated tax for self-employed persons • UI claim documents • Cross-match with UI wage records
English Language Learner	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Assessment test results • Applicable records from education institution (transcripts or other school documentation) • Intake application or enrollment form • Individual Service Strategy • Case notes
Basic Skills Deficient (BSD)	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Assessment test results • Applicable records from education institution (transcripts, academic assessments, or other school documentation) • Case notes
Single Parent	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> • Self-attestation • Needs assessment • TANF single parent eligibility verification • Intake application or enrollment form • Individual Service Strategy or Employment Plan • Case notes
Selective Service Registration ²	N/A	✓ ³	✓ ³	✓	✓	<p><u>Documentation for proof of registration:</u></p> <ul style="list-style-type: none"> • Selective Service acknowledgement letter • Screen printout of the Selective Service Verification site • Selective Service registration card • Selective Service verification form • Stamped post office receipt of registration

¹ A low-income determination resulting from another element, such as TANF or Homeless Individual, must use the corresponding documentation list for that element in place of the low income documentation list.

² Refer to [Section 5.2](#) for additional guidance on determining whether or not failure to register was knowing / willful.

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 [Section 5.2](#)).

					<p><u>Documentation for exemption:</u></p> <ul style="list-style-type: none"> • Form DD-214 "Report of Separation" • Date of entry stamp on passport • I-94 with date of entry stamp • Letter from USCIS indicating date entered US • Any acceptable document combination identified on the Selective Service Who Needs to Register page <p><u>Documentation due to failure to register:</u></p> <ul style="list-style-type: none"> • Exception letter approved by SWC
Employment Service Specific (Wagner-Peyser)	Migrant and Seasonal Farmworker Designation				<ul style="list-style-type: none"> • Self-attestation • Cross-match with public assistance database • Cross-match with State MIS database • Employment records • Case notes
	Migrant and Seasonal Farmworker Status				<ul style="list-style-type: none"> • Self-attestation • Cross-match with public assistance records • NFJP eligibility documents used to determine low-income status • Employer contract/Letter • Program application • Cross-match with State MIS database • Cross-match with H-1B records • Case notes
Youth Program Specific (ISY or OSY)	Foster care youth				<ul style="list-style-type: none"> • Self-attestation • Written confirmation from social services agency • Case notes • Foster care agency referral transmittal • Intake application or enrollment form • Needs assessment • Individual Service Strategy
	Pregnant or parenting youth				<ul style="list-style-type: none"> • Self-attestation • Needs assessment • WIC eligibility verification • TANF single parent eligibility verification • Intake application or enrollment form • Individual Service Strategy • Case notes
	Youth who needs additional assistance				<ul style="list-style-type: none"> • Self-attestation • Intake application or enrollment form • Case notes • Needs assessment • Individual Service Strategy
Adult Program Specific	Individual with Barrier(s) to Employment for Fourth Priority or Service Need for Fifth Priority				<ul style="list-style-type: none"> • Case notes

<p>Dislocated Worker Program Specific (With the exception of displaced homemaker, all dislocated worker determinations require Date of Actual Dislocation. When documenting category specific requirements, documentation is only required for the category selected)</p>	Date of Actual Dislocation (does not apply to displaced homemaker)		<ul style="list-style-type: none"> Self-attestation Verification from employer Rapid Response list⁴ Notice of layoff Public announcement with crossmatch with UI database 		
	General Dislocation (Category 1)	Layoff / Termination (1.1)	<ul style="list-style-type: none"> Self-attestation Verification from employer Rapid Response list Notice of layoff <p><u>UI Good Cause Voluntary Quits only:</u></p> <ul style="list-style-type: none"> Separation determination letter UI correspondence from ESD 		
		Unlikely to Return (1.2)	<ul style="list-style-type: none"> Self-attestation Labor market information Wage analysis Job postings 		
		UI Eligibility	<table border="1"> <tr> <td>Eligible For / Exhausted (1.3.1)</td> <td rowspan="2"> <ul style="list-style-type: none"> Self-attestation State MIS Official report from a state UI system UI Stub Print out of UI direct deposit </td> </tr> <tr> <td>Attachment to Workforce (1.3.2)</td> </tr> </table>	Eligible For / Exhausted (1.3.1)	<ul style="list-style-type: none"> Self-attestation State MIS Official report from a state UI system UI Stub Print out of UI direct deposit
	Eligible For / Exhausted (1.3.1)	<ul style="list-style-type: none"> Self-attestation State MIS Official report from a state UI system UI Stub Print out of UI direct deposit 			
	Attachment to Workforce (1.3.2)				
	Dislocation from Facility Closure / Substantial Layoff (Category 2)		Refer to Category 1.1 list above		
	Self-Employed Dislocation (Category 3)		<ul style="list-style-type: none"> Self-attestation 		
	Displaced Homemaker (Category 4)		<ul style="list-style-type: none"> Self-attestation Signed intake application or enrollment form Crossmatch with public assistance records Spouse's layoff notice Spouse's death record Spouse's change of station orders Divorce records/court records Bank records showing financial dependance or no employment income earned Needs assessment Signed Individual Employment Plan 		
	Dislocated Military Service Member (Category 5)		Refer to category 1.1 list above or a DD-214 ⁵		
Spouse of Military Service Member (Category 6)		Refer to category 1.1 or category 4 list above, as appropriate			
National Dislocated Worker Grant Specific	Social Security Number		<ul style="list-style-type: none"> SSN Card Other Federal or State ID with SSN 		

⁴ Rapid response list – A list of attendees at a Rapid Response event created by WorkSource staff hosting the event. Rapid Response occurs following an announcement or notification of a permanent closure or mass layoff, a mass job dislocation resulting from a natural or other disaster, or the filing of a Trade Adjustment Assistance (TAA) petition ([TEGL 19-16](#)).

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 WIOA dislocated worker services and funds, they would not be considered 'veterans' for the purposes of DOL reporting.

7. SWC WIOA Program Registration and Enrollment Procedures

7.1 WIOA Registration and Enrollment Requirements

When an individual seeks more than informational services and self-services from WorkSource system staff, the individual must be registered, assessed for service need, and have a basic or comprehensive eligibility determination (see Definitions above). Registration is the process for collecting information to support service delivery and determination of eligibility for WorkSource system programs. This information may be collected electronically, through interviews, or through an application. In addition to information collected for eligibility purposes, EO data must be collected on every individual who is interested in being considered for a WorkSource funded program.

Participation in a WIOA program officially begins when an individual has received or is receiving a WIOA service, other than self-services or informational services, and is the point at which an individual is in performance calculations for the primary indicators of performance described in WIOA Section 116. The Washington State WIOA MIS is the local record keeping system. Registration and enrollment data shall be documented in the State MIS for all WIOA-funded WorkSource system programs.

7.2 Eligibility Documentation Procedure for WorkSource Programs

WorkSource system service providers shall complete a 100% verification of eligibility for each program a participant is eligible for. Each criterion and each eligibility requirement must be supported by a verifying document as listed in the matrix above or as directed through official guidance for programs not listed in the above matrix. Documentation can be self-attestation, case notes, or any other item identified as an appropriate source of documentation for the corresponding program.

7.2.1. Minimum Requirements for Documenting Eligibility for WorkSource Programs

During the application process, WorkSource System staff must collect registration information from the applicant and enter or upload it into the state MIS. A WIOA complaint process and equal opportunity notice must also be provided to and understood by the applicant. This process is to be done as follows, in any combination:

- By electronic means such as through electronic forms, e-mail or text, scans, and digital photographs, and/or
- By copies of documents provided directly to WorkSource system staff.

Registration information provided by the applicant must be validated using a signature and include a signature date. Additionally, the applicant must acknowledge they have received and understood the WIOA complaint process & equal opportunity notice. The following methods are to be used to validate the information provided, in any combination:

- State MIS electronic registration form
- Electronic document signing platforms (e.g., DocuSign, Verisign),
- Electronically transmitted digital photos of signed documents,
- Postal mail pickup or drop off of signed paper forms, and/or
- E-mail affirmation
 - For registration data the applicant must reply in the affirmative that they certify the information is true and accurate. The response and date stamp on the e-mailed reply is considered an electronic signature.
 - For EO and complaint and grievance procedures, the applicant must reply in the affirmative that they have read and understood the information. The response and date stamp on the e-mailed reply is considered an electronic signature.

7.2.2. Security Requirements for Applicant Data

Service providers must maintain appropriate information security protocols and privacy must be ensured to avoid disclosing Personally Identifiable Information (PII). Social Security Numbers may not be emailed, texted or entered in video conference chats and may only be verbally provided or delivered through an encrypted and secure e-mail or document collection method.

7.2.3. Additional Documentation Requirements For WIOA-Funded Individualized Career, Training, and Youth Services

For the purposes of providing WIOA-funded individualized career services, training services, and youth services, eligibility determinations for each program must be reviewed by someone other than the individual who originally determined program eligibility for the applicant. A review of the applicant's service eligibility must also be done by someone other than the individual who originally determined service eligibility for the applicant. Prior to enrolling these individuals, service providers shall follow these steps to ensure that a correct determination has been made:

1. Gather applicant's information, supporting documentation, and signatures as appropriate;
2. A staff person, other than the one who determined initial eligibility, reviews the applicant's information and supporting documentation to validate whether a correct determination has been made and relevant information has been properly documented. This reviewer must enter a case note in the state MIS documenting the date and results of this review; and
3. Copies of supporting documentation must be included in the applicant's physical and/or electronic file, regardless of the results of the eligibility determination.

NOTE: Documents used for eligibility for co-enrolled participants may be shared or photocopied from another program or agency in order to document eligibility for a WIOA program.

An applicant's 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.
- Other confidential information not related to medical or disability information must be maintained in another separate file.

7.3 Program Exit

Once an individual is enrolled in a WorkSource program, the individual remains classified as a participant until 90 days have elapsed without receiving a service from any 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 and are continuing to work towards established goals. After program exit occurs, an individual may be provided follow-up services for twelve months following completion of the program. While beneficial to employment or educational retention, follow-up services do not count as a service that extends the participation period.