



BLUE RIDGE REGION

Title: Adult, Dislocated Worker & Youth Eligibility Policy	Related Forms: Yes
Effective Date: 1/27/2017	Revised Date: ~~10/26/2020~~

Purpose

To ensure proper eligibility determinations for participation in WIOA programs and receipt of WIOA funds.

References

- VWL 15-02 Change ~~24~~ Eligibility Guidelines
- VWL 15-02 Change ~~24~~ Attachment A: WIOA Adult Eligibility
- VWL 15-02 Change ~~24~~ Attachment B: WIOA Dislocated Worker
- VWL 15-02 Change ~~24~~ Attachment C: WIOA Youth Eligibility
- VWL 15-02 Change ~~24~~ Attachment D: Verification and Documentation for WIOA Eligibility
- VWL 15-02 Change ~~24~~ Attachment E: Selective Service Requirements
- VWL 15-02 Change ~~24~~ Attachment F: Family Size/Family Income
- VWL 15-02 Change ~~24~~ Attachment G: Self-Certification and Telephone/Document Inspection Verification Requirements
- VWL 15-02 Change ~~24~~ Attachment H: WIOA Definitions for Title I Eligibility
- VWL 15-02 Change ~~42~~ Attachment I: WIOA Title I Adult Program Eligibility Checklist
- VWL 15-02 Change ~~21~~ Attachment J: WIOA Title I Dislocated Worker Program Eligibility Checklist
- VWL 15-02 Change ~~24~~ Attachment K: WIOA Title I In-School Youth Program Eligibility Checklist
- VWL 15-02 Change ~~24~~ Attachment L: WIOA Title I Out of School Youth Program Eligibility Checklist
- VWL 19-04 Change ~~24~~ Definitions Related to Dislocated Worker Eligibility
- WIOA Sections 170 and 129
- VWL 20-07 Change 1 VaWC and Electronic Case Files
- VWL 20-07 Attachment A WIOA Title I VaWC Document Naming Conventions

Policy

It is the policy of the Western Virginia Workforce Development Board (WVWDB) to follow all federal guidelines and state guidance in determining eligibility for participants in and recipients of WIOA programs. The WVWDB and its' Service Providers will use their guidance to ensure accurate eligibility determinations are made. It is the current policy of the Western Virginia Workforce Development Board (WVWDB) to opt out of providing services to 5% of youth served that do not meet the income criterion. If this becomes a process we choose to participate in in the future, policy will be updated to provide guidance for this provision.

Procedure

Self-Sufficiency Determination

To better serve the adult population of our area, adults who are a member of a family whose income exceeds the Lower Living Standard Income Level (LLSIL) but not in excess of 175% may also receive WIOA services as an established priority group. Additionally, income self-sufficiency of a Dislocated Worker will be calculated as the higher of 175% of the LLSIL or 80% of the layoff wage. The LLSIL is established annually by the Department of Labor and can be found at <https://www.doleta.gov/lisil/>.

Unlikely to Return Determination

Unlikely to obtain employment in a previous industry or occupation within six (6) months from date of termination or layoff due to general economic conditions of the area. Consideration will be given to declining industries or occupations or obsolete individual skills in a demand occupation or industry that could preclude an individual from being competitive or finding reemployment in the current occupation without the upgrading of skills.

The local area follows state guidance regarding definitions of what constitutes Unlikely to Return. This includes an applicant who has been furloughed or temporarily laid off for a minimum of 12 weeks with no return date provided by the employer.

Suitability

Suitability must be determined through the assessed ability and the perceived personal commitment of the participant to attend activities, to successfully complete these activities and to acquire employment and/or post-secondary/advanced skill placement. While persons may be fully eligible for WIOA Title I programs, they may not be suitable pending resolution of immediate issues. Examples of an individual who may not be suitable include:

- An individual who does not meet eligibility requirements;
- Persons requiring extensive support beyond that of the WIOA Title I Programs;
- Persons whose needs are better served by another agency or program;
- Persons whose lives are in immediate crisis & who cannot participate at the time of determination;
- Persons who cannot commit time sufficient for participation in WIOA Title I Programs;
- Persons who consistently fail to attend scheduled meetings or appointments.

Should an applicant be determined not suitable, there must be proper documentation of the reason for denial of access to the program. Case notes must be entered to support the suitability determination.

Youth in Need of Additional Assistance

Youth identified during the initial intake assessment and eligibility process as meeting one of the following may be considered an individual (including a youth with a disability) who requires additional assistance to complete an education program or secure and hold employment:

- Lacking work experience for those aged 17 years old and above
- Having difficulty keeping employment meaning an individual aged 17 years or older who has not worked for the same employer for longer than 3 consecutive months in the prior twelve months
- Residing in a single parent household
- Residing in, or has resided in during the past 2 years, a residential placement facility, including a detention facility, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house or foster group home (this must be verified with documentation from the facility, verbal or written)
- Living with a family member in the household who is unemployed or has lost their job during the past 12 weeks (includes spouse, parent, or sibling over 18)
- Natural disaster evacuees
- Has experienced/is experiencing effects of substance abuse either by themselves, family members related by blood or marriage, guardians, or other immediate family members such as those connected by birth, adoption, civil partnership, or cohabitation such as grandparents, great-grandparents, grandchildren, great-grandchildren, aunts, uncles, siblings-in-law, half-siblings, cousins, adopted children, step-parents, step-children and cohabitating partners.
- Expectant fathers

The case file must include documentation as to how the determination was made (i.e. official documents, verification from employer or educator, etc.). Documentation must also include a well-articulated statement via case note by the ~~Case Manager~~Career Coach that clearly defines and explains the rationale for the decision to use this barrier(s) and how participation in the services selected will support the Youth's chances for securing employment or completing an education program in order to secure employment.

Co-Enrollment with Partner Programs

All efforts are to be made to enroll WIOA Title I participants with any partner program that is applicable to that participant's needs & circumstances. Examples may include enrolling a ~~22 year old~~22-year-old into the WIOA Title I Adult program as well as the WIOA Title I Youth program, because they would benefit from a youth program element not available through the Adult program, or enrolling a WIOA Title I Dislocated Worker participant into the Trade Act program through the VEC, for extended benefits following their employment termination. Whatever program(s) an individual is enrolled into, they must meet the participation requirements of both/all. It is the duty of the WIOA Title I Program staff to ensure open lines of communication exist between staff all parties involved and information is shared, as necessary for program services to be provided and successfully completed.

Additional Documentation Requirements

Per state guidance, a letter from HUD verifying that an individual is currently receiving a rent subsidy is substantial verification for low-income status, as HUD has already verified income. For citizenship verification, the actual I-9 form does not need to be in the file, rather the



BLUE RIDGE REGION

documentation from the I-9 form. Clients should date all forms when they sign them as indicated on forms, only those without a date line are not required to be dated the date they are signed.

Active clients must be contacted at least once every 30 days. Cases should be updated in VAWC with a case note reflecting the individual contacted, the conversation, information received & provided, and actions taken following the contact. Case notes within VAWC must be entered timely, within 10 days of the contact date. These case notes should be entered while a case is active as well as during follow-up, to document each contact or attempted contact with the client. Telephone call logbooks should not be kept alone, a case note should be entered for every call made & received with clients. If kept, they must be stored in locked cabinets and surrendered to the Board with closed files.

For those items that can be verified by self-attestation, self-attestation can only be used as verification as a last resort, when absolutely no other source of verification is available. The reason and justification for using self-attestation & documentation of attempts to verify with acceptable sources must be made in a case note.

For eligibility purposes, barriers to education/employment should be documented following guidance found in Federal, State, and local policy. All barriers should have tangible documentation found within the physical case file and/or the electronic system of record (VaWC).