

VI WORKFORCE DEVELOPMENT BOARD POLICY DOCUMENT

Workforce Program Guidance WIOA 301-15

TO: Virgin Islands Single State Workforce Development Area

SUBJECT: **WIOA TITLE I ELIGIBILITY REQUIREMENTS –**
Adults & Dislocated Workers

DATE: July 2015

Purpose: To provide guidance to all staff and administrators of the One-Stop Career Centers providing WIOA services to customers of the Workforce Development System.

References: Workforce Innovation and Opportunity Act of 2014 (P.L. 113-128) Title I

Background: The Workforce Innovation and Opportunity Act of 2014 (WIOA) supersedes the Workforce Investment Act of 1998. WIOA seeks to increase opportunities for job seekers to access services and resources that strengthen their ability to obtain and maintain employment in a rapidly changing employment environment. WIOA continues to serve adults with economic and other barriers to employment as well as the dislocated and displaced worker.

Policy: The Virgin Islands Single State Workforce Area establishes these policies and procedures that determine criteria for individual eligibility to receive Title I WIOA Adult and Dislocated Worker funds.

Access to Title I Adult and Dislocated Worker Services

There are no specific eligibility requirements for participation by adults in career services under WIOA section 134 (c) (2). Access to training services is given to individuals who are unlikely to obtain or retain employment that leads to economic self sufficiency or wages comparable to or higher than wages from previous employment or through career services. There is no specific sequence of service delivery.

Title I – Adults

Title I – Adult participants must meet each of the following criteria:

1. Age 18 years of age or older;
2. A citizen or national of the United States; lawfully admitted permanent resident alien, refugee, asylee, parolee, or other immigrant authorized by the Attorney General to work in the United States or Territories;
3. In compliance with the Military Selective Service Act. (Males 18 or older who were born on or after January 1, 1960)

Title I – Dislocated Workers

Title I – Dislocated Workers participants must meet each of the following criteria:

1. A citizen or national of the United States; lawfully admitted permanent resident alien, refugee, asylee, parolee, or other immigrant authorized by the Attorney General to work in the United States or Territories.
2. In compliance with the Military Selective Service Act (Males 18 or older who were born on or after January 1, 1960)

Registration

Registration is the process for collecting information for supporting a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual's application.

Documentation Requirements

Adult and Dislocated Worker participants must submit documentation that demonstrates that they are eligible to participate in WIOA Title I activities. A list of documentation can be found in Attachment A.

Attachments: The following Attachments further define the policy above:

- A – Eligibility Documentation
- B – Selective Service Registration Requirements
- C – Alternate Forms of Documentation

ELIGIBILITY DOCUMENTATION

ELIGIBILITY CRITERIA	SOURCES OF DOCUMENTATION (Only one of the following is required for each criterion)
GENERAL ELIGIBILITY – Required for adults and dislocated workers	
Birth Date/Age	Baptismal Record Birth Certificate DD-214, Report of Transfer or Discharge Paper Driver's License Federal, State or Local Government Identification Card Selective Service Card Hospital Record of Birth Passport Public Assistance/Social Service Records School Records/Identification Card
Citizenship/Authorization to Work in the United States	Alien Registration Card indicating Right to Work (INS Forms I-551, I-94, I-688A, I-197, I-179) US Baptismal Certificate (if place of birth is shown) US Birth Certificate Food Stamp Records Foreign Passport Stamped Eligible to Work US Hospital Record of Birth Naturalization Certification Public Assistance Records US Passport (either current or expired)
Selective Service Registrant*	DD-214, Report of Transfer or Discharge Selective Service Advisory Opinion Letter (<i>not used after Jan., 1995</i>) Selective Service Online Verification at http://www.sss.gov printout Selective Service Registration Acknowledgement Card Selective Service Status Information Letter Selective service Registration Record (Form 3A) Stamped Post Office Receipt of Registration Certificate of Naturalization (indicates compliance with all Selective Service requirements) US Passport (for non-US born customers, only)

**Online verification is available for men born on or after 12/31/59. Men between the ages of 18-26 who have not registered should be referred to SSS for registration prior to enrollment in WIOA Title I. Registration may be completed online at the web site.*

Pursuant to the USDOL policy that final decisions for disbursing federally financed domestic benefits, services, rights, or training, rests solely with the provider agencies that disburse them, the local Title I operator is responsible for determining if an individual seeking services under Title I meets Selective Service requirements. As such, the Title I operator must determine for any Title I applicant who was required to register with Selective Service and failed to do so, whether that failure was knowing or willful. It is the responsibility of the individual to demonstrate that such failure to register was not knowing or willful. All such determinations must be documented in the participant's case file.

ECONOMIC ELIGIBILITY – Required for Priority Adults	
Cash Public Assistance <i>NOTE: The listed items of documentation are acceptable for any individual listed on grant.</i>	<ol style="list-style-type: none"> 1. Copy of Authorization to receive Cash Public Assistance 2. Copy of Public Assistance Check 3. Medical Card showing Cash Grant Status 4. Public Assistance Identification Card showing Cash Grant Status 5. Public Assistance Records/Printout/Master File
Individual/Family Income	<ol style="list-style-type: none"> 1. Alimony Agreement 2. Award letter from Veterans Administration 3. Bank Statements (Direct Deposits) 4. Compensation Award Letter 5. Court award Letter 6. Employer Statement/Contact 7. Business Financial Records 8. Housing Authority Verification 9. Pay Stubs 10. Pension Statement 11. Quarterly Estimated Tax for Self-Employed Persons 12. Social Security Benefits 13. Unemployment Insurance Documents 14. Written statement from other Federal, State or Local agency
Individual Status/Family Size	<ol style="list-style-type: none"> 1. Birth Certificate 2. Decree of Court 3. Disabled (see “Individuals with Disabilities” below) 4. Divorce Decree 5. Lease or Landlord Statement 6. Marriage Certificate 7. Medical Card 8. Most recent tax return 9. Public Assistance/Social Service/Public Housing Agency record
SNAP	<ol style="list-style-type: none"> 1. Current Authorization to obtain SNAP 2. Current SNAP Receipt 3. SNAP Card with Current Date 4. Postmarked Food Stamp mailer with applicable Name and Address 5. Public Assistance Records/Printout
Homeless <i>(Income verification not required)</i>	<ol style="list-style-type: none"> 1. Written Statement from an Individual Providing Temporary Residence 2. Written Statement from Shelter/Social Service Agency

ECONOMIC ELIGIBILITY – Required for Priority Adults	
Supported Foster Child	<ol style="list-style-type: none"> 1. Court Contact 2. Court Documentation 3. Medical Card 4. Verification of Payments made on Behalf of the Child 5. Written Statement from State/Local Agency
Individual With Disabilities	<ol style="list-style-type: none"> 1. Letter from Drug or Alcohol Rehabilitation Agency 2. Letter from Child Study Team Stating Specific Eligibility 3. Medical Records 4. Observable Condition 5. Physician Statement 6. Psychiatrist's Psychologist's Diagnosis 7. Rehabilitation Evaluation 8. School Records 9. Sheltered Workshop Certification 10. Social Service Records/Referral 11. Social Security Administration Disability or Veterans Administration Records 12. Vocational Rehabilitation Letter 13. Workers Compensation Record

****Priority for Adult Funds****

WIOA Section 134(c)(3)(E) establishes to recipients of public assistance, other low income individuals and individuals who are basic skills deficient for receipt of career services and training services.

Low Income Individual (WIOA Section 3(36))

An individual who:

- (i) 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 the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008; the program of block grants to States for temporary assistance for needy families program; or the supplemental security income program established under title XVI of the Social Security Act; or State or local income-based public assistance;
- (ii) Is in a family with total family income that does not exceed the higher of (I) the poverty line or (II) 70 percent of the lower living standard income level;
- (iii) Is a homeless individual;
- (iv) Receives or is eligible to receive a free or reduced price lunch;
- (v) Is a foster child on behalf of whom State or local government payments are made or;

- (vi) Is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

Basic Skills Deficient (WIOA Section 3(5))

An individual who:

- (i) Is a youth, that has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- (ii) Is a youth or adult, that 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.

ELIGIBILITY CRITERIA	Acceptable Documentation
DISLOCATED WORKERS	
<p>(A)</p> <p>(i) terminated, laid-off or received notice and</p> <p>(ii) (D)is eligible for, or has exhausted entitlement to, UI benefits; or</p> <p>(II)has been employed but is not eligible for UI due to insufficient earnings or were not covered under UI, and</p> <p>(iii) is unlikely to return to a previous industry or occupation</p>	<ol style="list-style-type: none"> 1. Unemployment insurance (UI) records 2. Referral from Rapid Response 3. Notice of Ineligibility for Unemployment Insurance 4. Profiled Customer/Referral Form 5. Documentation from former employer, including telephone verification of employment and layoff status 6. Pay stubs (accept only with 1,2,3,4, or 5 above) 7. W2 records (accept only with 1,2,3,4, or 5 above) 8. Tax return (accept only with 1,2,3,4, or 5 above)
<p>(B)</p> <p>(i) is terminated, laid-off or received notice as a result of permanent closure or substantial layoff</p> <p>(ii) is employed at a facility that has announced plans to close within in 180 days; or</p> <p>(iii) for purposes of receiving core services, is employed at a facility that has announced plans to close</p>	<ol style="list-style-type: none"> 1. Letter from company (must list customer name and date of layoff if only form of documentation presented) 2. WARN Notice with recent pay stub 3. Newspaper article with recent pay stub 4. Documentation from employer, including telephone verification or employment and layoff status 5. Unemployment Insurance records 6. Profiled Customer/Referral Form 7. Referral from Rapid Response
<p>(C)</p> <p>was self-employed but is unemployed due to general economic conditions or because of natural disaster</p>	<ol style="list-style-type: none"> 1. Document indicating business closure 2. Business Tax documents or returns 3. News article or other written announcement of business closure (use only with 2 or 4) 4. Business license (use only with 1, 2, or 3 above)
<p>(D)</p> <p>is a displaced homemaker who has been providing unpaid services to family members in the home and who has been dependant on the income of another family member but is no longer supported by that income, and is unemployed or under employed and is experiencing difficulty in obtaining or upgrading employment.</p>	<ol style="list-style-type: none"> 1. Tax returns 2. Social Security documents 3. Death notice and/or certificate (with applicant statement and/or other proof of income status such as 1,2,4,5 or 6) 4. Divorce decree (with applicant statement and/or other proof of income status such as 1, 2 or 5) 5. Public assistance records/UI records 6. documenting of divorce filing (with applicant statement and/or other proof of income status such as 1, 2 or 5)

<p>(E)</p> <p>(i) is 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; or</p> <p>(ii) is 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>	<ol style="list-style-type: none"> 1. Tax returns 2. Social Security documents 3. Public assistance records/UI records documenting of divorce filing (with applicant statement and/or other proof of income status) 4. Proof of relocation
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Dislocated Worker (WIOA Section 3 (15))

An individual who:

(A) (i) has been terminated or laid off, or who has received a notice of termination or layoff from employment;

(ii) (I) is eligible for or has exhausted entitlement unemployment compensation; or

(II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

(iii) is unlikely to return to a previous industry or occupation;

(B) (i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility or enterprise;

(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or

(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2), or supportive services is employed at a facility at which the employer has made a general announcement that such facility will close;

(C) Was self-employed (including employment as a farmer, a 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 disasters;

(D) Is a displaced homemaker; or

(E) (i) is 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; or

(ii) is 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.

Displaced Homemaker (WIOA Section 3 (16))

An individual who has been providing unpaid services to family members in the home and who:

(A)(i) Has been dependent on the income of another family member but is no longer supported by that income; or

(ii) 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 pursuant to a provision of law referred to in section 101 (a) (13) (B) of title 10 United States Code, a permanent change of station, or the service-connected death or disability of the member; and

(B) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Selective Service Registration Requirements

To be eligible to participate in WIA Title I services, certain Selective Service requirements must be met by One-Stop Career Center customers:

- A) All males born in the United States on or after January 1, 1960 *must have registered* with the Selective Service System (must be able to document registration with SSS).
- B) Males not born in the United States whose birth date is on or after January 1, 1960 and who entered the U.S. before their 26th birthday *must have registered* with the Selective Service System (must be able to document their date of entry and date of birth). Since a foreign born male who enters the U.S. as a student attending school on a full-time basis is not required to register with Selective Service, verification of the individual's F1 Student Visa status when he was between the ages of 18-26 would be sufficient.
- C) Males not born in the United States, whose birth date is on or after January 1, 1960 and who entered the U.S. after their 26th birthday are not required to register with Selective Service (must document their date of entry and date of birth).
- D) Males born on or after January 1, 1960 and who have been discharged from U.S. military service must document their date of discharge on their DD214.

For non-U.S. born customers presentation of either a Certificate of Naturalization form or a valid United States Passport will indicate that an individual has met all Selective Service requirements, as Selective Service compliance is also a requirement of the naturalization process.

ALTERNATE FORMS OF DOCUMENTATION

APPLICANT STATEMENTS

Applicant statements may be used, in a limited way, to document those items that, in some cases, are not verifiable or may cause undue hardship for individuals to obtain. Consistent with requirements described in USDOL Technical Assistance Guide (TAG) JTPA Title II Eligibility Documentation Guide (published in 1993 and adopted by USDOL for use in determining eligibility under Title I of the Workforce Investment Act), an applicant statement may be used *as the sole source document only* for determining family income, residence and family size and *may not be used as the sole source document* for any other eligibility criteria. Applicant statements should be supported by a documented corroborative contact or reliable witness attesting to the accuracy of the statement. The corroboration may be via witness signature on the applicant statement form or supporting telephone verification form.

Example: Use of the sample Applicant Statement form is as follows: If an applicant states that he/she is unable to provide evidence that no income was received during the past six months, and that he/she was unemployed for that period, the blank spaces following the words ***“I certify, under penalty of perjury, that I”*** may be completed, for example as follows: ***“have received no income from any source during the past six months, that I have been unemployed during that time, and have been supported by donations/contributions from relatives and friends.”*** This should be corroborated by the person(s) providing the support.

APPLICANT STATEMENT FORM

I certify, under penalty of perjury that I _____

(If applicant cannot obtain a satisfactory witness or provide a telephone contact, explain above.)

Applicant's Signature _____ Date _____

Applicant's Address, City, State, Zip _____

Corroborating Witness Signature _____ Date _____

Witness' Relationship to Applicant _____

Office Use Only

The above applicant statement is being utilized for documentation of the following eligibility criteria:

Signature of eligibility worker _____ *Date* _____