



PUBLIC POLICY No.: WIOA-05-2019

DATE: APRIL 10, 2019

SUBJECT: PUBLIC POLICY FOR DETERMINING ELIGIBILITY FOR ADULT AND DISLOCATED WORKER PROGRAMS

I. INTRODUCTION

The Workforce Innovation and Opportunity Act (WIOA) is aimed at ensuring that individuals have access to the employment opportunities, education, training and support services they need to be successful in the labor market.

Adults and dislocated workers, in the single management system, will be able to receive the following services:

- Basic Career Services
- Individualized Career Services
- Training Services

Adults and dislocated workers who receive services in addition to self-service or general information will be determined eligible and registered as participants in the appropriate Program.

II. LEGAL BASIS

- Section 3 (2), (15) and (63) - Workforce Innovation and Opportunity Act (WIOA). Sections 680.100, 680.120, 680.130, 680.630, 680.640 v 680.650 of the Workforce Innovation and Opportunity Act (WIOA) Regulations.
- "Training and Employment Guidance Letter" (TEGL) 19-16 issued by the Employment and Training Program attached to the U.S. Department of Labor on March 1, 2017.
- Implementing Priority of Services for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the US Department of Labor (DOJ).
- 38 U.S. Code Chapters 42, Section 4215: Priority of Services for Veterans in Department of Labor Job Training Programs.

III. GENERAL REQUIREMENTS FOR ADULTS AND DISPLACED WORKERS

1. Be a U.S. citizen, lawful permanent resident and/or authorized to work in the U.S. Evidence Required on File - copy of Birth Certificate, Certificate of Naturalization (I-9), Passport or Valid Green Card.

1. Be registered with the Selective Service

The individual, male, may register for selective service in the U.S. Army within thirty days of his eighteenth (18th) birthday and within thirty (30) days of his eighteenth (18th) birthday. The selective service will accept late registrations but will not accept late registrations after a man's twenty-sixth (26th) birthday. Applies to males born after December 31, 1959.

Evidence Required on Record (one of these)

- Selective service card or "acknowledgment letter".
- Veteran DD-214, telephone verification, electronic verification, electronic verification.

Note: Only those who present evidence of the following conditions will be excluded from this requirement:

- Have been confined in a medical, mental, or correctional institution between the ages of 18 and 26.
- Aliens who have arrived in the United States and its territories after having passed the age of enrollment.

IV. SPECIFIC ADULT REQUIREMENTS

Age: 18 years of age or older

Evidence Required on Record:

- ✓ Copy of Birth Certificate
- ✓ Copy of Baptismal Certificate
- ✓ DD – 214
- ✓ Driver's License (valid)
- ✓ Federal, State or Local Identification Card
- ✓ Valid Passport or Residency Card
- ✓ Any other document validated by a governmental entity

Section 134 (c) (3) (E) states that with respect to individualized career services and training services for adults funded with Title I - B funds, priority will be given to the following:

First: Veterans and their eligible spouses who are recipients of public assistance, low-income OR who are basic skills deficient will receive first priority for services provided with Adult Program funds.

Second: Those non-veterans or their eligible spouses who are included in WIOA's priority groups for Adult Program employment and training activities, public assistance recipients, other low-income, or who are basic skills deficient.

Third: Veterans or their eligible spouses not included in the WIOA priority groups.

Fourth: Those individuals who are not included in the WIOA priority groups for the Adult Program.

Valid assessment instruments appropriate for the target population will be used to evaluate basic skills and appropriate notes will be made in the participant's file.

The following may be used to determine priority:

- Certification of Public Assistance, PAN, Financial Assistance or other
- Certification of Income/Employer
- Food Pension Certification
- Unemployment Program Certification
- Social Security Certification
- Pay Stub
- Applicant's Certification (Self-Employment), Municipal License or other appropriate document

V. SPECIFIC REQUIREMENTS FOR DISPLACED WORKERS

In addition to meeting the general eligibility requirements and participation requirements for individualized career and training services, any person receiving services with Dislocated Worker Program funds will be determined eligible based on the following categories:

A. Has terminated or was suspended, or has received a notice of termination or suspension of employment, and

- a. Is eligible for OR has exhausted his or her rights to unemployment compensation; or

Evidence required on file:

One of the following: Severance notification letter in the employee's name indicating the date of separation or termination; Evidence of early intervention from Rapid Response or Self Certification.

b. Is part of the labor force and is not eligible for unemployment compensation because of insufficient earnings or because the employer is not covered by the law; and

Evidence required on file:

One of the following: Unemployment Insurance Record or W2 or pay stub for those who do not have Unemployment Insurance Record.

c. He is unlikely to return to the industry or occupation from which he terminated or was suspended.

Evidence required on file:

One of the following: Labor market information stating that the occupation is not in demand; Employment efforts made by the applicant and has not received an offer of employment; Evidence that the applicant does not meet the new requirements of the occupation because the applicant's skills are obsolete or inadequate or lacks the credentials required for the new position; Evidence that he/she has exhausted 80% of unemployment benefits and has not yet obtained employment in an occupation the same OR similar to the one he/she occupied; Evidence that in his/her area of employment a local business permanently closed or made substantial layoffs negatively impacting the availability of jobs in the dislocated worker's first occupation.

B. Has been terminated or suspended or have received a notice of termination or suspension of employment as a result of a permanent closing, or substantial suspension at a plant, facility or company.

- a. Is employed in a facility in which the employer has made a general announcement that the business will be closed within one hundred eighty (180) days.

Evidence required on file:

One of the following: Severance notification letter in the employee's name indicating date of separation OR termination; Evidence of early intervention from Rapid Response or Self Certification; WARN notification with recent stub.

- b. If the notice is a general one (which does not specify when they will close) they may receive career and support services.

Evidence required on file:

One of the following: Newspaper article or advertisement; Letter from company notifying of closure; Certification from Employer (written, electronic media OR telephone); WARN notice with recent stub; Unemployment Insurance records.

Is self-employed (including farmer, rancher OR fisherman), but is unemployed as a result of general economic conditions in the community in which he/she resides or due to natural disasters.

Evidence required on file:

One of the following: Evidence of taxes or contributions paid to the state to show that he/she was self-employed; Business license or permit; Accounting books evidencing that expenses exceeded profits; Bankruptcy documents (Chapter 7 or 11); Chamber of Commerce or similar statistics showing unfavorable business conditions; Disaster Declaration issued by the state or Federal Government; General news reporting on economic conditions; Self-certification stating that you were self-employed, but due to the economic conditions of the region or because of the destruction of a natural disaster, you lost your source of income.

D. Displaced homemaker - An individual who has been providing unpaid services in the home, to family members, and to other members of the household, and:

a. Has been dependent on the income of another household member and no longer have such income.

Evidence required on file:

One of the following: Evidence of taxes or contributions paid to the State; Judgment of Divorce or Death; Pay Stubs; Unemployment Insurance Unit Records/ Public Assistance Records; Self-certification stating that the individual resided with one or more family members for whom he/she provided services without dependent pay for six (6) months or more, however, he/she is no longer dependent on that income by reason of divorce, death or otherwise.

b. Is the dependent spouse of an active-duty member of the Armed Forces, and his/her family's income has been significantly reduced.

Evidence required on file:

One of the following: Military Orders or DDD 214 and Marriage Certificate, Marriage Income Tax Returns or Army Pay Stubs; Self-certification that family income has been affected by more than 20% as a result of those described in the characteristic.

c. Is unemployed or underemployed and have difficulty obtaining or improving your employment.

Evidence required on file:

One of the following: Self-certification stating that the worker is unemployed or underemployed and has sought employment for a minimum of four weeks without success; Career Planner Annotations; Other documents available.

Spouse of a member of the armed forces.

a. Is the spouse of a member of the armed forces on active duty and have lost his/her job as a result of relocation.

Evidence required on file:

One of the following: Marriage Certificate or Marriage Income Tax Returns; Military Orders showing change of station; Evidence of separation from employment; Self-certification stating that he/she lost his/her employment as a result of a change of station.

b. Is the spouse of an active-duty member of the armed forces is unemployed OR his or her employee and is having difficulty obtaining or upgrading employment.

Evidence required on file:

One of the following: Marriage Certificate or Marriage Income Tax Returns; Evidence of separation of employment; Self-certification stating that he/she is unemployed OR underemployed and has sought employment for a minimum of four (4) weeks and has been unsuccessful in securing employment or a better job than the one he/she had; Career Planner Annotations.

VI. ELIGIBILITY REVIEW

The eligibility reviewer or authorized official will complete the eligibility review and verification checklist to ensure that all applicable eligibility criteria and categories have been met.

VII. REQUIRED ACTION

It will be the responsibility of the Executive Director to inform the corresponding personnel of its approval and to ensure faithful compliance with this public policy.

VIII. EFFECTIVENESS

This public policy shall take effect immediately upon its approval. Any other public policy related to the determination of eligibility of adults and dislocated workers is hereby rescinded.

IX. APPROVAL

Signed and approved on Wednesday, April 10, 2019, in Barceloneta, Puerto Rico.

SIGNED

Mr. Erasmo Rafael Lamberty
President
Local Workforce Development Board

SIGNED

Hon. Wanda Judith Soler-Rosario
President
Board of Directors of Mayors