

Eligibility Policy Handbook – Attachment A

**Eastern Washington Partnership
Workforce Development Council**

Phone: 509 685-8421

Email: rvanalyne@ruralresources.org

**Effective Date:
January 8, 2016**

Introduction: 3

Definitions: 4

References: 5

1. Alignment of Wagner-Peyser and WIOA Title I Services 6

1.1 Purpose 6

1.2 Career Services 6

1.3 Training Services 7

2. Youth Program 8

2.1 Youth Program Requirements 8

2.1.1 In-School Youth 8

2.1.2 Out-of-School Youth 8

2.2 Local Definition of Low Income and Exceptions to this Requirement 9

2.3 Exceptions to Youth Eligibility requirements 10

2.4 Local Definition of Low Income 10

3. Adult Program 10

3.1 Adult Program Requirements 12

3.2 Priority for Services under the Adult Program 12

4. Dislocated Worker Program 14

4.1 Dislocated Worker Program Requirements 14

4.2 Serving Military Service Members and their Spouses 16

4.3 Eligibility for Employed Individuals, Including “Stop-Gap” Employment 17

5. Additional Program Guidance 18

5.1 U.S. Citizenship or Legal Right to Work in the U.S. 18

5.2 Selective Service Requirements 18

5.3 Priority of Service for Veterans and Eligible Spouses 19

5.4 Assisting Victims of Human Trafficking 19

5.5 WIA001 Report and Disallowed Use of UI GUIDE Screen Prints 21

5.6 Income Verification and Family Size for the Low-Income Criteria 21

5.7 Washington’s Marriage Equality Act 22

6. Eligibility Documentation Requirements 23

7. Self-Attestation Forms 29

8. Samples of Includable and Excludable Income 32

Introduction:

The content of this procedural handbook is equivalent to the state WorkSource System Policy 1019, Revision 2. This handbook will serve as the mechanism to implement and manage policy changes.

This handbook provides guidance to staff and partners concerning eligibility requirements for the Youth, Adult and Dislocated Worker Programs under WIOA Title I and Wagner-Peyser under WIOA Title III.

Sections 2, 3 and 4 cover program eligibility requirements for 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 (not necessarily all) programs.

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

NOTE: The Eligibility Policy Handbook is being issued at this time in order to provide system partners with information needed to make eligibility determinations. The information is based on the best information available at this time per WIOA law and proposed rules, as well as limited DOL/ETA guidance. The handbook will be revised and reissued after the WIOA final rules are issued and as further DOL/ETA guidance is received.

Definitions:

- **Case Notes** – For the purpose of Data Element Validation (DEV), case notes refer to either paper or electronic statements by staff that identifies, at a minimum, the following: a participant's status for a specific data element, the date on which the information was obtained, and the staff who obtained the information ([TEGL 06-14 – Attachment A](#)).
- **Covered Person (for Priority of Service)** – A veteran or their eligible spouse.
- **Cross- Match** – For the purpose of DEV, a cross-match requires validating staff to find detailed supporting evidence for the data element in a database ([TEGL 06-14 – Attachment A](#)).
- **Data Element Validation (DEV)** – The federally mandated process by which the state annually assesses the accuracy of reported participant data (refer to WorkSource System Policy 1003, Revision 1 and [TEGL 06-14 – Attachment A](#)).
- **Eligible Spouse (of a Veteran)** – The spouse of any of the following (JVA Sec. 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.
- **Self-Attestation** – Self-attestation (also referred to as a participant or applicant statement) occurs when a participant (applicant) states his or her status for a particular data element, such as pregnant or parenting youth, and then signs and dates a form acknowledging this status. The key elements for self-attestation are: (a) a participant (applicant) identifying his or her status for a permitted data element and (b) signing and dating a form attesting to this self-identification (with a disclaimer concerning the self-identification). Refer to Sec. 7 of this handbook.
- **State MIS** – For the purpose of DEV, State MIS refers to specific, detailed information that is stored in the state's information system that supports a data element ([TEGL 06-14 – Attachment A](#)).
- **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.

References:

- Workforce Innovation and Opportunity Act of 2014
- WIOA Notice of Proposed Rule Making: Joint Rulemaking on Unified and Combined Plan, Performance and Accountability, and One-Stop Delivery Center
- WIOA Notice of Proposed Rule Making: Notice of Proposed Rulemaking on Title I and Title III programs
- Jobs for Veterans Act (JVA)
- Training and Employment Guidance Letter (TEGL) 22-04
- Training and Employment Guidance Letter (TEGL) 22-04, Change 1
- Training and Employment Guidance Letter (TEGL) 17-05
- Training and Employment Guidance Letter (TEGL) 10-09
- Training and Employment Guidance Letter (TEGL) 11-11 Change 2
- Training and Employment Guidance Letter (TEGL) 9-12
- Training and Employment Guidance Letter (TEGL) 11-12
- Training and Employment Guidance Letter (TEGL) 06-14
- Training and Employment Guidance Letter (TEGL) 23-14
- Training and Employment Guidance Letter (TEGL) 03-15
- Training and Employment Guidance Letter (TEGL) 08-15
- WorkSource System Policy 1003 Revision 1 – Data Element Validation
- WorkSource System Policy 1009 Revision 1 – Priority of Service for Veterans and Eligible Spouses
- WorkSource System Policy 1019, Revision 2 – Eligibility Guidelines and Documentations Requirements
- WIOA Title I Policy 5404 Revision 1 – Records Retention and Public Access
- WorkSource Information Notice (WIN) 0027 Change 2 – WIA001 Report and Discontinued Use of UI Guide Screens
- WorkSource Information Notice (WIN) 0041 – Address Confidentiality Program

1. Alignment of Wagner-Peyser and WIOA Title I Services

1.1 Purpose

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

Service providers are encouraged to utilize 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 programs and Wagner-Peyser are mandated to provide the same set of career services found at WIOA Section 134 (c)(2)(A). There is a natural alignment of service delivery under Wagner-Peyser since all individuals are eligible for these services.

NOTE: Personal records of WIOA registrants will be private and confidential, and will not be disclosed to the public. Refer to WIOA Title I Policy 5403 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 these services. They can be provided in any order to provide flexibility in targeting services to the needs of the customer. Section 4 in TEGL 03-15 identifies the services that fall under the basic, individualized, and follow-up categories.

Per proposed 20 CFR 680.120 and 680.130 and TEGL 03-15, individuals 18 years of age or older who are registered, meet the eligibility criteria for, and are enrolled in either the WIOA adult or dislocated worker programs are eligible to receive career services.

Staff-assisted Wagner-Peyser labor exchange services fall under the category of Basic Career Services and must be provided in coordination with other one-stop center partners. Wagner-Peyser staff can also provide Individualized Career Services in coordination with other one-stop center partners. - Although Labor Exchange services are available to all individuals, only individuals who are legally entitled to work in the U.S. can obtain employment. To ensure that individuals who apply or are referred are legally entitled to work in the U.S., SKIES and SSMS (or their successors) registration both require customer attestation to legal entitlement to work in the U.S.

In addition to universal access under Labor Exchange, basic career services can be provided universally with WIOA Title I funding. Individuals must be registered, determined eligible and enrolled to receive WIOA Title I funded, staff-assisted career services beyond self-service or informational activities. These services are offered under WIOA Title I (in addition to Wagner-Peyser) to ensure

seamless service delivery in the One-Stop Center to minimize referrals and to ensure leveraging of resources between programs.

Per proposed 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. TEGL 17-05 clarifies that “significant staff involvement” includes staff’s assessment of a participant’s skills, education or career objectives to assist the participant in making a decision or accessing information as opposed to staff providing a participant with readily available information that does not require an assessment.

NOTE: This policy covers basic eligibility requirements for Wagner-Peyser, including priority of service requirements for Covered Persons (using the broad definition of veteran – see Sec. 5.3). For verification of veteran status, the Wagner-Peyser program has specific requirements. For a complete overview of services for veterans (using the standard definition) under Wagner-Peyser, including verification of eligibility for these services, please refer to [Services for Veterans – 4030](#).

All Wagner-Peyser funded services must be provided by state merit staff (20 CFR 652.215 and TEGL 11-12).

1.3 Training Services

Training services are funded and provided to jobseekers under the WIOA Title I programs. Individuals provided training services funded by WIOA Title I must be registered, determined eligible and in need of additional service, beyond career services to obtain or retain employment per proposed 20 CFR 680.210.

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-funded training services can be determined (proposed 20 CFR 680.220 and TEGL 03-15).

Per WIOA Section 134 (c)(3)(A)(iii) and proposed 20 CFR 680.220, and TEGL 03-15, there is no requirement that career services first be provided as a condition of receiving training services. However, if career services are not provided before training, local boards must document the circumstances justifying their course of action.

DLO/ETA encourages the referral of Wagner-Peyser recipients to WIOA Title I programs for training services when appropriate (TEGL 11-12).

2. Youth Program

2.1 Youth Program Requirements

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

2.1.1. 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 U.S.;
- Attending school as defined by state law;
- Age 14 through 21;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Sec. 5.2 for guidance on Selective Service registration).
- Low income individual (see Sec. 2.3 for guidance on exceptions); and
- One or more of the following:

Category 1	Basic skills deficient
Category 2	An English language learner
Category 3	An offender
Category 4	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement.
Category 5	Pregnant or parenting
Category 6	A youth who is an individual with a disability
Category 7	An Individual who requires additional assistance to complete an educational program or to secure or hold employment ¹ The WDC Youth Council defines “an individual who requires additional assistance” as a person who has one or more of these barriers: an approved Individual Education Plan personal or family substance abuse issues gang involvement/affiliation/affected enrolled in alternative education program or at risk of dropping out of school

¹ Per proposed 20 CFR 681.300, local boards that use category 7 to determine in-school eligibility must establish a local policy that defines the “requires additional assistance to complete an educational program or to secure or hold employment” criterion and documentation requirements (WorkSource System Policy 1019, Revision d – section 3.e- documentation requirements.

lacks affordable housing

victim of domestic violence or sexual/child abuse

an identified social adjustment or mental health issue

lacking a significant or positive work history

member of migrant family

not at grade parity and one or more grade levels below grade level to her/his age

lacking work maturity

other barrier as determined significant by the Youth Council

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

In addition, up to 5% of total youth enrollments may be non-economically disadvantaged if they have one or more of the following barriers:

school dropout

basic literacy skills deficiency

one or more grade levels below the grade level appropriate to the individual’s age

pregnant or parenting

one or more disabilities, including learning disability

homeless or runaway

offender

face serious barriers to employment (see barriers for individuals requiring additional assistance)

2.1.2 Out-of-School Youth

At least 75 percent of the local area's total youth funding allocation must be used to provide activities to out-of-school youth (WIOA Sec, 129 (c)(4)(A)), excluding administrative expenditures (20 CFR 667.210(a)(2)). This includes youth who have (1) dropped out of school, or (2) graduated from high school/or obtained a GED, but are basic skills deficient, underemployed or unemployed. Drop-outs are defined as individuals who are no longer attending school and who have not received a secondary school diploma or its recognized equivalent.

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

- U.S. citizen or otherwise legally entitled to work in the U.S.;
- Not attending school as defined by state law²
- Age 16 through 24;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Section 5.2 for guidance on Selective Service registration); and
- One or more of the following:

Category 1	A school dropout ³
Category 2	A youth who is within the age of compulsory school attendance ⁴ , 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 <u>and</u> is basic skills deficient or an English language learner
Category 4	An individual who is subject to the juvenile or adult justice system

² The state's dropout reengagement program authorized under RCW 28A.175.100 provides educational opportunities and access to services to older youth ages 16 to 21 who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of 21 and are *unlikely to re-engage in education by re-enrolling in a traditional or even alternative high school*. While related RCW 28A.175.110 states that youth in this program are regularly enrolled students of the school district in which they are enrolled, the State finds that the intent of enrollment was to allow schools with dropout reengagement programs authorized under RCW 28A.175.100 to use basic education funds to serve dropouts and that youth in this program are not attending school as defined under state law for the purposes of WIOA eligibility determinations.

³ Per WAC 392-185-010, a common school dropout is defined as a person who (a) has not completed high school; (b) is at least 13 years of age to under 20 years of age; (c) does not show proficiency beyond the high school level in a test approved by the Superintendent of Public Instruction that has been given as a part of the initial diagnostic procedure; and (d) has dropped out of a common school for at least one month and written verification is received from a school official of the common school last attended that such person is no longer in attendance at such school unless (i) the board of directors or its designee submit a written request that such person be admitted or (ii) the person has been expelled or suspended pursuant to chapter 180-40 WAC. The fact that any person be subject to the compulsory attendance law (RCW 28A.225) shall not affect his or her qualifications as an eligible common school dropout under this chapter.

⁴ Per RCW 28A.225.010, the age of compulsory school attendance in Washington is eight (8) years of age to under 18 years of age. For the purpose of WIOA out-of-school youth, that encompasses 16-17 year olds.

Category 5	A homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of foster care system, a child eligible for assistance under Section 477 of the Social Security Act (42 U.S.C. 677), or in an out of home placement.
Category 6	Pregnant or parenting
Category 7	A youth who is and individual with a disability
Category 8	A low-income individual who requires additional assistance to enter an educational program or to secure or hold employment ⁵

2.2. Additional Definitions of Low Income

Utilizing the definition of low-income at WIOA Section 3(36), the WDC can make local determinations regarding income verification and what is included or excluded as income (WorkSource System Policy 1019, Revision2 – Section 3.e – Local Responsibilities)

WIOA Section 129(a)(2) states that low-income additionally includes youth living in high-poverty areas with proposed 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.

Proposed 20 CFR 681.250 and 681.270 allows that low-income further includes youth who receive (or are eligible to receive) free or reduced price lunches under the Richard B. Russell National School Lunch Act.

WIOA Section 3(36)(A)(vi) and proposed 20 CFR 681.280 allow that the income eligibility level for youth with disabilities is based on the disabled youths’ own income rather than their family income.

2.3. 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 8), but are not low income. [WIOA Section 129(a)(3)(A)(ii) and proposed 20 CFR 681.250]

⁵ Per proposed 20 CFR 681.300, local boards that use Category 8 to determine out-of-school eligibility must establish a local policy that defines the “requires additional assistance to complete and educational program or to secure and hold employment” criterion and documentation requirements (WorkSource System Policy 1019, Revision 2 – Section 3.e – Local responsibilities). Refer to Section 6 for an overview of eligibility criteria and documentation requirements.

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 7). [WIOA Section 129(a)(3)(B)]

2.4. Local definition of Low Income

Utilizing the definition of low-income at WIOA Section 3(36), WDC’s can make local determinations regarding income verification and what is included or excluded as income (WorkSource System Policy 1019, Revision 2 – Section 3.e – Local Responsibilities).

3. Adult Program

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 U.S.;
- Age 18 or older; and
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Sec. 5.2 for guidance on Selective Service registration).

NOTE: The criteria above does not reflect low-income or prioritization requirements. Low-income requirements and corresponding prioritization guidelines do not apply unless a local determination of limited funding availability is made (refer to handbook Sec. 3.2).

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

3.2 Priority for Services under the Adult Program

Since Adult program funding is limited, mandatory priority groups that must be prioritized when identifying individuals who will receive intensive and training services. in accordance with 20 CFR 680.600 and 680.640. These targeted populations must first meet the eligibility requirements for the Adult program.

Priority selection is established for and local areas must target certain populations in accordance with WIOA Section 134(c)(3)(E) and proposed 20 CFR 680.600 and 20 CFR 680.640. These targeted populations must first meet the eligibility requirements for the adult program.

The following matrix describes the order and rationale for the application of the above mentioned prioritization requirements based on the requirements in WIOA Section 134(c)(3)(E), proposed 20 CFR 680.600, 680.640, and TEGL 10-09. For purposes of this section, the term “covered person(s)” refers to veterans and eligible spouses in relation to the priority of service for veterans requirements.

The matrix below describes the order and rationale for prioritization based on the requirements in WIOA Section 134(c)(3)(E), proposed 20 CFR 680.600, proposed 20 CFR 680.640, and TEGL 10-09.

For purposes of this section, the term “covered person(s)” refers to veterans and eligible spouses per priority of service for veterans.

Priority requirements for the WIOA Title I adult program are as follows:

Priority	Mandatory Priority Group	Explanation
First	Covered persons (veterans and eligible spouses) who are low-income (may include unemployed individuals) or recipients of public assistance, or basic skills deficient.	Guidelines for serving covered persons (Policy 1009 Revision 2 – Priority of Service) apply within the mandatory priority criteria of low-income / public assistance recipient.
Second	Individuals (non-covered persons) who are low-income (may include unemployed individuals), recipients of public assistance or basic skills deficient.	The mandatory priority criteria (low-income / public assistance recipients / basic skills deficient) have preference over covered persons (veterans and eligible spouses) who do not meet the mandatory priority criteria.
Third	Covered persons (veterans and eligible spouses) who <u>are not</u> low-income and <u>and not</u> basic skills deficient.	Guidelines for serving covered persons (Policy 1009 Revision 2 – Priority of Service) apply in the third category (individuals who are not low-income / public assistance recipients/basic skills deficient).
Fourth (optional)	WDCs (in consultation with CLEOs) may establish additional priority groups for subsequent priority for services (WorkSource Policy 1019, Revision 2 - 3.e – Local Responsibilities).	The mandatory priorities (if funding is limited) established by DOLETA don't prohibit WIOA adult services to only the recipients of public assistance and other low income individuals. The WDC and the Governor may establish a process that gives priority for services to other individuals meeting eligibility criteria, as long as the mandatory priority groups are given priority.

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

According to 20 CFR 680.120, 680.130, and 680.210, the above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA adult funded career and training services. The WDC may serve other eligible individuals who are not recipients of public assistance, other low-income or basic skills deficient after first serving eligible individuals who meet the established priority selection criteria. Unemployed individuals may be considered low-income individuals (refer to Section 5.6.1).

Priority Selection for Career Services and Training Services Funded with WIOA Statewide (10%) Discretionary Grants/Contracts

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

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

As indicated by the first priority above, recipients of WIOA 10% discretionary grants and contracts will continue to provide priority selection of veterans for career and training services as required under P.L.

107-288 “Jobs for Veterans Act” and in alignment with WorkSource Policy 1009 Revision 2. In applying this policy to 10% funded projects, veterans who are unemployed and/or low-income, have priority over all other individuals served under these projects.

4. 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 U.S.;
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960), unless an exception is justified (see Sec. 5.2 for guidance on Selective Service registration).and
- One of the Dislocated Worker categories (see the table below).

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

The following matrix is meant to provide clarity on the requirements within each Dislocated Worker category. Military Service Members (Category 5) and Spouses of Dislocated Military Service Members (Category 6) have been included as individual categories to allow for specificity, although it is commonly understood that these categories fall under the General Dislocation category (1). Refer to handbook Sec. 5.7 for guidance related to the impact of Washington’s Marriage Equality Act.

The term “is unlikely to return to previous industry or occupation” can be attributed to an individual who:

has worked in a declining industry/occupation, as documented on State or locally-developed lists of such industries/occupations. State lists are available from the WDC or the Employment Security Department’s LMEA division.

or, has had a lack of job offers as documented by the local Job Service Unemployment Insurance (UI) office, rejection letters from employers in the area, or other documentation of unsuccessful efforts to obtain employment in the prior industry/occupation;

or has worked in an industry/occupation job for which there are limited job orders in the Go2WorkSource job listing system at the time of eligibility determination, as certified by the job counselor using commonly recognized labor market information.

Dislocated Worker Eligibility Criteria

Category	Criteria	
1. General Dislocation	<input type="checkbox"/>	1.1 An individual who was terminated, laid off, or received a notice of termination or layoff. AND
	<input type="checkbox"/>	1.2 Is determined unlikely to return to previous industry or occupation (defined by WDCs); AND
	<input type="checkbox"/>	1.3.1 Is eligible for or has exhausted entitlement to unemployment compensation; OR <input type="checkbox"/> 1.3.2 Is not eligible for unemployment compensation but can show attachment to the workforce of sufficient duration.
2. Dislocation from Facility Closure / Substantial Layoff	<input type="checkbox"/>	2.1 An individual who was terminated, laid off, or received a notice of layoff from employment at a plant, facility, or enterprise as a result of: <ul style="list-style-type: none"> • Permanent closure; or • Substantial layoff; OR
	<input type="checkbox"/>	2.2 An individual employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.
3. Self-employed Dislocation	<input type="checkbox"/>	3.1 An individual who was self-employed (including employment as a farmer, rancher or fisherman) but is unemployed as a result of: <ul style="list-style-type: none"> • General economic conditions in the WDA where the individual resides; or • A natural disaster.
4. Displaced Homemaker <small>*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.</small>	<input type="checkbox"/>	4.1 An individual who was dependent on the income of another family member and is no longer supported by the income of another family member; OR 4 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. AND
	<input type="checkbox"/>	4.2 Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
5. Dislocated Military Service Members	<input type="checkbox"/>	5.1 A non-retiree military service member who was discharged or released from service under conditions <u>other than dishonorable</u> , or has received a notice of military separation (defined by WDC, see Section 4.2). Per proposed 20 CFR 680.660, 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. Note: Dislocated military service members, veterans and other covered persons are eligible for Priority of Service (POS) as described in POS Policy 1009, Revision 1. AND
6. Spouses of - Military Service Members	<input type="checkbox"/>	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; OR 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. Note: a military spouse may also qualify as a displaced homemaker (category 4).

Serving Military Service Members and their Spouses

4.2 Military Service Members (Dislocated Worker – Category 5)

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

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

Veterans and other covered persons determined eligible for the Dislocated Worker program are given priority for services according to the Jobs for Veterans Act and WorkSource (see Policy 1009 Revision 2 – Priority of Service).

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

- Section (3)(15)(A)(i) - Has been terminated or laid off or received notice of termination or layoff.

[TEGL 22-04](#) states that a discharge from the military under honorable circumstances meets the “termination” criterion. A DD-214 form is the most common documentation used to determine discharge status.

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

For the purposes of serving still-active transitioning service members under the “notice of termination or layoff” eligibility criterion, documentation must align with the DEV requirement for “Date of Actual Qualifying Dislocation” (refer to handbook Sec. 6). The WDC has determined that a transitioning service member may receive dislocated worker services up to seven days prior to his/her planned separation. Qualified individuals can receive services up to twelve months prior to discharge.

Spouses of Military Service Members (Dislocated Worker - Category 6)

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

[TEGL 22-04 Change 1](#) provides clarification and flexibility to serve spouses of military service members (military spouses) under the Dislocated Worker program. DOL affords local areas significant flexibility to serve military spouses. TEGL 22-04 clarifies that the term “military spouse” includes individuals who are married to active duty service members (including National Guard or Reserve personnel on active duty) and surviving spouses of active duty service members who lost their lives while on active duty

service in combat-related areas (e.g. Afghanistan or Iraq). Refer to handbook Section 5.7 for guidance related to the impact of Washington’s Marriage Equality Act.

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

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

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

As provided in TEGL 22-04 and TEGL 22-04 Change 1, “termination” of military spouses based on the circumstances described above can be considered to meet the “unlikely to return to a previous industry or occupation” in order to qualify as a dislocated worker. Determination is a matter of judgment based on relevant circumstances, but in most cases, military spouses impacted by a service member’s duty reassignment or discharge will meet the “unlikely to return to a previous industry or occupation” criterion of WIOA and could be served as dislocated workers.

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

4.2 Eligibility for Employed Individuals

Proposed 20 CFR 680.780 states that the WDC must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker services (WIOA Section 134(d)(4)). To qualify, incumbent workers need to be employed, meet Fair Labor Standards Act requirements for an employer-employee relationship, and have established employment histories with the employer for 6 months or more. Employed adults are eligible for career services if they are 18 years of age or older and additionally eligible for training services if they are determined to be in need of such services to obtain or retain self-sufficient employment (WIOA Section 134(c)(3)(I)). Washington will use the term “stop-gap employment” when referring to employment that will not lead to self-sufficiency.

The WDC has defined self-sufficiency for eligible (low-income) adults as having employment that pays at least 150% of the lower living standard income level, as defined in WIOA Sec. 3(36)(A)(ii)(II)

For *dislocated workers* who are still employed, (and have received a layoff notice or the employer has made a general announcement that such facility will close within 180 days), have received a career service and need training services to obtain or retain employment that leads to self-sufficiency. Self-

sufficiency for a dislocated worker means having employment that pays at least 80% of the wage at the time of layoff.

4.3 Stop Gap Employment

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

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

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

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, service providers are required to verify U.S. citizenship or legal right to work for all WIOA Title I programs. Self-attestation is the minimum documentation requirement, but providers may choose to require commonly used [I-9 Documentation](#), such as: driver's license / ID card along with Social Security card. 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 local areas 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.

Additionally, the [Selective Service System Website](#) provides additional information about registration requirements, including the [Who Must Register Quick Reference Chart](#).

Males 25 Years and Under

Before being enrolled in WIOA Title I-funded services, all males who are not registered with the Selective Service and have not reached their 26th birthday must register through the [Selective Service website](#), or provide documentation indicating they are covered by an exception (i.e., serving in the military on full-time active duty or a non-U.S. male on a valid non-immigrant visa). Males turning 18 while participating in 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-funded services. Males between 18 and 25 years of age who refuse to register with the Selective Service must be suspended from WIOA Title I-funded services until registered.

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

Males 26 Years and Over

Before enrolling in WIOA Title I-funded services, all males, 26 years of age or older, must provide (1) documentation of compliance with the Selective Service registration requirement; (2) documentation showing they were not required to register; or (3) if they were required to register but did not, documentation establishing that their failure to register was not knowing and willful.

Determining Knowing and Willful Failure to Register

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

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. Priority of service entitles eligible veterans or spouses to enrollment and services before eligible non-covered persons. For additional guidance on Priority of Service refer to WorkSource System Policy 1009 – Priority of Service for Veterans and Eligible Spouses (TEGL 10-09). For specific guidance on priority for services when funding is limited under the Adult program, refer to handbook Section 3.2.

5.4 Assisting Victims of Human Trafficking

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

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

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

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

Providing Employment and Training Services:

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

For the purposes of being 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 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 customers. However, services to victims of trafficking may need to be tailored and adapted to match the particular needs of this population. For instance, victims of trafficking may have Limited English Proficiency (LEP), criminal records (including from being forced into prostitution), or limited resumes.

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

In most cases, victims of trafficking will approach One-stop Centers towards the end of their rehabilitation process and will have already been working with other Federal, state, local or nonprofit organizations and agencies. In the event that the victim has not yet received services, it is important for staff to be aware of and utilize local resources and service providers, particularly non-profit organizations that provide services to trafficking victims. Service providers for trafficking victims can

also refer or accompany their clients to the nearest One-stop Center when they are ready for employment and training services.

A description of available services for victims of trafficking offered either directly by Federal agencies or provided by local service providers with funding from the U.S. Government can be found in the document "Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers" available at: ["Services Available to Victims of Human Trafficking: A Resource Guide for Social Service Providers"](#)

5.5 WIA001 Report and Disallowed Use of UI GUIDE Screen Prints

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

Note: This information will be available in Unemployment Tax and Benefit (UTAB) system, which is being developed as the successor to GUIDE. Staff can use printouts of unemployment insurance information provided by UI claimants who have Secure Access Washington (SAW) accounts that allow them to access and view their UI claim information on-line.

5.6 Income Verification and Family Size for the Low-Income Criteria

5.6.1 Income Verification:

Utilizing the definition of low-income at Sec. 101(25), the WDC has developed a list for income verification as well as what is included or excluded as income. Determinations regarding income verification and what is included or excluded as income (State Policy 1019, Revision 2 Sec. 3.e - Local Responsibilities). And [Section 8](#) of this handbook provides a list of excludable and includable income. To determine whether an individual is low-income under the definition at WIOA Section 3(36), it is also necessary to consider family size and family income.

The local definition of "low-income" may include individuals who are unemployed, however, unemployed individuals will not automatically meet the local parameters regarding low-income (i.e., to qualify for the Adult program). The intent is to prioritize services to individuals based on family income (low-income), not to exclude unemployed individuals (who meet the low-income criteria) from receiving services.

5.6.2 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 guardian and dependent children; or
- A married couple.

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

NOTE: Based on 20 CFR 681.280, even if the family of a disabled individual does not meet the income eligibility criteria, the disabled individual may be considered a low-income individual if his/her own income meets the income criteria of WIOA section 3(36)(A) or 3(36)(B). The disabled individual would be considered a family of one and only the individual’s income would be considered when determining low-income.

5.6.3 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 dependents of parent(s) or legal guardian(s) for the purpose of determining family size for WIOA Title I Youth and Adult Program eligibility. These instances are:

Example 1	Youth not yet 18, who are not emancipated youth or 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),
Example 2	Youth age 18-19 who are full-time students in a secondary school or equivalent, and are living “at home” with their parents or legal guardians.
Example 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.

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

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

The WDC may choose to identify instances where youth in Examples 1 and 3 are to be considered individuals and not dependents. Such a definition must be made explicit in local procedures to eliminate any confusion for the purpose of determining family size when making eligibility determinations for the WIOA Title I youth and adult programs ([WorkSource System Policy 1019, Revision 2](#) - Section 3.e - Local Responsibilities).

NOTE: The WDC has the authority to develop additional criteria consistent with state and federal guidance to help staff determine family size and income for the purpose of determining WIOA Title I youth and adult program eligibility ([WorkSource System Policy 1019, Revision 2](#) - Section 3.e - Local Responsibilities).

5.7 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 couple. Furthermore, in June 2013, the U.S. Supreme Court ruled unconstitutional Section 3 of the federal Defense of Marriage Act. Accordingly, in respect to this policy, the State’s definition of a married couple extends beyond that of a male and a female.

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

6. Eligibility Documentation Requirements

The matrix below provides a comprehensive look at program training eligibility criteria and documentation requirements. The requirements in this matrix outline eligibility criteria and utilize Data Element Validation (DEV) requirements for alignment purposes; however, there are additional DEV requirements beyond the eligibility documentation requirements described in this matrix, including different DEV requirements for core services. For comprehensive information on the Data Reporting and Validation System (DRVS) and Data Element Validation (DEV) requirements, refer to WorkSource System Policy 1003 Revision 1 and TEGL 06-14.

Here are instructions for the eligibility and documentation matrix:

Criteria

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

Eligibility Requirement

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

Documentation Requirement

The corresponding eligibility documentation requirements to the right align with DEV documentation requirements for each eligibility criteria/category. The DRVS number (if the criteria is included under DEV) or other source (if not included under DEV) is listed above each list of documentation. Note: DRVS numbers reflected are subject to change based on issuance of DOL/ETA guidelines for DEV applicable to WIOA.

One document in this column is required for each relevant eligibility criteria/category. Each criteria is connected to one or more potential DRVS lists, but only one document (from the relevant list) is necessary (i.e., low-income and youth category 3 include multiple “options” but only one option is necessary). In addition to the required documentation, the WDC can supplement this requirement by implementing supplemental documentation requirements (WorkSource System Policy 1019, Revision 2 – Section 3.d – Local Responsibilities).

Self-attestation

The self-attestation column indicates whether or not the corresponding documentation list allows self-attestation. To ensure properly documented customer self-attestation, the State strongly encourages

WDC's to use the self-attestation forms provided in Section 7 of the Handbook or local versions that are substantially similar. DOL further recommends that staff document the reason for using self-attestation in case notes.

Improperly documented self-attestation or self-attestation on eligibility elements not permitted under federal law or guidance or this policy may result in disallowed costs. Properly documented self-attestation serves as documentary evidence of eligibility determination and does not, by itself, preclude disallowed cost findings if it is determined during monitoring, reviews, or audits that the attestation was false.

Criteria	Eligibility Requirement For:					Documentation Requirement	Self-attest
	W-P	Youth		Adult	DW		
		YY	OY				
Citizen / Legally Entitled to Work in the U.S.	N/A	✓	✓	✓	✓	<ul style="list-style-type: none"> Self-attestation Accepted I-9 Documentation, such as: driver's license / ID card along with Social Security card. <p>Note: for more information on employment eligibility guidance and alignment with I-9 documentation please see M-274, Instructions for Completing Form I-9.</p>	Yes
Age	N/A	✓	✓	✓	N/A	<p><u>DRVS 3 - Date of Birth:</u></p> <ul style="list-style-type: none"> Driver's license; Baptismal record; Birth certificate; DD-214; Report of Transfer or Discharge paper; Federal, state or local ID card; Passport; Hospital record of birth; Public assistance/social service records; School records or ID cards; Work permit; Cross match with Department of Vital Statistics (Department of Health's Center for Health Statistics); or Tribal records. 	No
Selective Service Registration⁶	N/A	✓ x	✓ ⁷	✓	✓	<p><u>TEGL 11-11 Change 2:</u></p> <ul style="list-style-type: none"> Selective Service acknowledgement letter; Form DD-214 "Report of Separation"; Screen printout of the Selective Service Verification site; Selective Service Registration Card; 	No

⁶ Refer to Sec. 5.2 and TEGL 11-11 Change 2 for additional guidance on determining whether or not failure to register was knowing / willful.

⁷ Selective Service Registration applies to youth who are 18 years of age or older, either at the time of enrollment or during participation. (Refer to Sec. 5.2).

Criteria	Eligibility Requirement For:					Documentation Requirement	Self-attest
	W-P	Youth		Adult	DW		
		YY	OY				
						<ul style="list-style-type: none"> Selective Service Verification (Form 3A); or Stamped Post Office Receipt of Registration. 	
Low-Income ⁸	N/A	✓	✓	N/A	N/A	<p>DRVS 20, 21, or 22 for Adult. <u>DRVS 20 - Low Income:</u></p> <ul style="list-style-type: none"> Alimony Agreement; Self-attestation; Award letter from veteran's administration; Bank statements; Compensation award letter; Court award letter; Pension statement; Employer statement/contact; Family or business financial records; Housing authority verification; Pay stubs; Public assistance records; Quarterly estimated tax for self-employed persons; Social Security benefits, or UI documents (WIA001 Report) <p><u>DRVS 21 - TANF:</u></p> <ul style="list-style-type: none"> Cross-match with TANF public assistance records Self-attestation; Hard or electronic case notes (noting that staff saw proof of TANF document) for basic career services only. <p><u>DRVS 22 - Other Public Assistance Recipient:</u></p> <ul style="list-style-type: none"> Copy of authorization to receive cash public assistance; Copy of public assistance check; Medical card showing cash grant status; Public assistance records; Refugee assistance records; or Cross-match with public assistance database. Self-attestation; Hard or electronic case notes (noting that staff saw proof of public assistance document) for basic career series only. 	Yes (basic career series only)

⁸ Income as an eligibility requirement for the Adult program is determined by the WDC in alignment with Section ii.b of this attachment. Income as an eligibility requirement for youth does not apply to youth enrolled in the 5% window.

Criteria	Eligibility Requirement For:				Documentation Requirement	Self-attest	
	W-P	Youth		Adult			DW
		YY	OY				
Youth Program – Out-of-School	Category 1				<u>DRVS 35 – School Status at Participation:</u> <ul style="list-style-type: none"> • Self-attestation; • Applicable records from education institution (GED certificate, diploma, attendance record, transcript, drop out letter, school documentation) • WIOA intake or registration form; or • State MIS 	No	
	Category 2				DVRS 35 (refer to list above)	Yes	
	Category 3				<u>DVRS 50 – Basic literacy skills deficiency:</u> <ul style="list-style-type: none"> • Standardized assessment tests(s) • School records; or • Case notes 	No	
	Category 4				<u>DRVS 42 – Offender:</u> <ul style="list-style-type: none"> • Self-attestation; • Documentation from juvenile or adult criminal justice system; • Documented phone call with court or probation representatives; or • WIOA intake or registration form 	Yes	
	Category 5				DRVS 41 (homeless individual and/or runaway youth) or DVRS 32 (foster care) <u>DVRS 41 – Homeless individual and/or runaway youth:</u> <ul style="list-style-type: none"> • Self-attestation; • Written statement from an individual providing residence, shelter or social service agency; or • WIOA intake or registration form <u>DVRS 51 – Foster Care Youth:</u> <ul style="list-style-type: none"> • Written confirmation from social services agency, or • Case notes 	Yes (only for 41)	
Youth Program – Out-of-School	Category 6				<u>DVRS 48 – Pregnant or Parenting Youth:</u> <ul style="list-style-type: none"> • Self-attestation; • Copy of child’s birth certificate; • Baptismal record • Observation of pregnancy status; or • Doctors note confirming pregnancy. 	Yes	

Criteria	Eligibility Requirement For:				Documentation Requirement	Self-attest	
	W-P	Youth		Adult			DW
		YY	OY				
	Category 7				DVRS 49 – (refer to list below)	Yes	
	Category 8				<u>DVRS 49 – Youth who needs additional assistance:</u> <ul style="list-style-type: none"> • Self-attestation; • Individual service strategy; • Case notes; • WIOA intake or registration form; or • State MIS 	Yes	
Youth Program – In-School	Category 1				<u>DVRS 50 – Basic literacy skills deficiency:</u> <ul style="list-style-type: none"> • Standardized assessment test; • School records; or • Case notes 	No	
	Category 2				DVRS 50 (refer to list above)	Yes	
	Category 3				<u>DVRS 42 – Offender:</u> <ul style="list-style-type: none"> • Self-attestation; • Documentation from juvenile or adult criminal justice system; • Documented phone call with court or probation representatives; or • WIOA intake or registration form. 	Yes	
Youth Program – In-School	Category 4				DRVS 41 (homeless / runaway youth) or DRVS 51 (foster care) <u>DRVS 41 – Homeless individual and/or runaway youth:</u> <ul style="list-style-type: none"> • Self-attestation; • Written statement from an individual providing residence, shelter or social service agency; or • WIOA intake or registration form <u>DRVS 51 – Foster Care Youth:</u> <ul style="list-style-type: none"> • Written confirmation from social services agency, or • Case notes 	Yes (only for 41)	
	Category 5				<u>DRVS 48 – Pregnant or Parenting Youth:</u> <ul style="list-style-type: none"> • Self-attestation; • Copy of child’s birth certificate; • Baptismal record; • Observation of pregnancy status; or doctor’s note confirming pregnancy 	Yes	

Criteria	Eligibility Requirement For:				Documentation Requirement	Self-attest	
	W-P	Youth		Adult			DW
		YY	OY				
	Category 6				DRVS 49 (refer to list below)	Yes	
	Category 7				<u>DRVS 49 – Youth who needs additional assistance:</u> <ul style="list-style-type: none"> • Self-attestation; • Individual service strategy; Case notes • WIOA intake or registration form; or • State MIS 	Yes	
Dislocated Worker Program	Cat. 1				<ul style="list-style-type: none"> • <u>DRVS 47 - Date of Actual Qualifying Dislocation:</u> • Self-attestation; • Verification from employer; • Rapid Response list; • Notice of layoff; or • Public announcement with cross-match with UI (WIA001 Report). 	Yes	
	Cat. 2				DRVS 47 (refer to list above)	Yes	
	Cat. 3				DRVS 47 (refer to list above)	Yes	
	Cat. 4				<u>DRVS 46 - Displaced Homemaker:</u> <ul style="list-style-type: none"> • Self-attestation; • Public assistance records; • Court records; • Divorce Papers; • Bank records; • Spouse's layoff notice; or • Spouse's death record. 	Yes	
	Cat. 5				DRVS 47 ⁹ (refer to list above) or a DD-214	Yes	
	Cat. 6				DRVS 47 (refer to list above)	Yes	

¹ Refer to Section 5.2 and [TEGL 11-11 Change 2](#) for additional guidance on determining whether or not failure to register was knowing / willful.

² Selective Service Registration applies to youth who are 18 years of age or older, either at the time of enrollment or during participation (Refer to Section 5.2).

³ Income as an eligibility requirement for the Adult program is determined by the LWDB in alignment with Section ii.b of this attachment. Income as an eligibility requirement for youth does not apply to youth enrolled in the 5% window.

⁴ 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.

⁹ 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. Self-Attestation Forms

You can download the Adult & DW Self-Attestation form [here](#).

WIOA Title I Adult & DW Self-Attestation Form			
Applicant Information:			
Last Name:	First Name:		Middle Initial:
Address:	City:	State:	Zip:
Individuals entering WIOA services may self-attest to the information below:			
1. Are you low-income? (please explain below)			Yes <input type="checkbox"/> No <input type="checkbox"/>
Explanation:			
2. Are you legally entitled to employment within the U.S. and territories? (Adult and DW)			Yes <input type="checkbox"/> No <input type="checkbox"/>
3. Have you been terminated, laid off, or received a notice of termination or layoff? (DW Categories 1 and 2)			Yes <input type="checkbox"/> No <input type="checkbox"/>
4. Are you a military service member who was discharged or released from service (under conditions <u>other than dishonorable</u>) or has received a notice of military separation? (DW Category 5)			Yes <input type="checkbox"/> No <input type="checkbox"/>
5. Were you unable to continue employment due to your spouse's permanent change of military station, or did you lose employment as a result of your spouse's discharge from the military? (DW Category 6)			Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Were you self-employed, but are unemployed as a result of general economic conditions in the community in which you reside? (DW Category 3)			Yes <input type="checkbox"/> No <input type="checkbox"/>
7. Note: A displaced homemaker is an individual who was dependent on the income of another family member and is no longer supported by the income of another family member.			Yes <input type="checkbox"/> No <input type="checkbox"/>
	Dislocation Information		Current Employment Information
Date	Separation Date (if known):		Start Date:
Job Title			
Business Name			
Address			
City, State, Zip			

Self-Attestation Statement:

I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.

SIGNATURE OF PARTICIPANT

DATE

X

Staff Verification Statement:

I certify that the individual whose signature appears above provided the information recorded on this form.

SIGNATURE OF STAFF

DATE

X

You can download this Youth Self-Attestation form [here](#).

WIOA Title I Youth Self-Attestation Form			
Applicant Information:			
Last Name:	First Name:	Middle Initial:	
Address:	City:	State:	Zip:
Individuals entering WIOA services may self-attest to the information below:			
1. Are you low-income? (please explain below)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Explanation:			
2. Are you legally entitled to employment within the U.S. and territories?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Have you dropped out of school?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Are you homeless or did you run away from home?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
5. Are you pregnant or currently parenting a child?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
6. Are you an offender?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
7. "Requires Additional Assistance".(The WDC allows for self-attestation for this qualifying factor (includes individuals with disabilities).		Yes <input type="checkbox"/>	No <input type="checkbox"/>
8. Are you one or more grade levels below the appropriate grade level for your age? (Only applies to the 5% not meeting the low income criteria)		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Self-Attestation Statement:			
<i>I certify that the information provided on this document is true and accurate to the best of my knowledge and belief. I understand that such information is subject to verification and further understand that the above information, if misrepresented or incomplete, may be grounds for immediate termination from any WIOA program and/or penalties as specified by law.</i>			
SIGNATURE OF PARTICIPANT		DATE	
X			
Staff Verification Statement:			
<i>I certify that the individual whose signature appears above provided the information recorded on this form.</i>			
SIGNATURE OF STAFF		DATE	
X			

8. Includable and Excludable Income for Calculating Low-income Status

Includable Income

- NOTE: “Bureau of Indian Affairs policy regarding Per Capita payments to Indians made pursuant to P.L.98.64 that under \$2,000.00 are exempt from consideration as a resource of income when determining eligibility for all federally assisted programs.”

Gross wages and salaries before deductions. Total money earnings received from work performed as an employee. If a family’s only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.

Net receipts from non-farm self-employment (receipts from a person’s own unincorporated business, professional enterprise, or partnership after deductions for business expenses). If the business or enterprise has suffered a loss, this loss will be allowed to off-set wage earnings.

Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to off-set wage earnings.

Regular payments from railroad retirement benefits, strike benefits from union funds, worker’s compensation, and training stipends.

Alimony.

Military family allotments or other regular support from an absent family member or someone not living in the household, except child support payments and military payments indicated below which are excluded from family income calculations.

Pensions whether private or government employee (including military retirement pay).

Regular insurance or annuity payments received by the individual or family member.

College or university grants or scholarships based on merit, fellowships, and assistantships.

Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

Net gambling or lottery winnings.

On-the-Job Training wages.

Social Security Disability (SSDI) Insurance payments (Title II of the Social Security Act, Federal Old-Age, Survivors and Disability Insurance). SSDI pays benefits to individuals that have worked in the past, paid Social Security taxes, and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement.

If the payment can not meet one of the excludable criteria, then the payment will be includable income.

Excludable Income

State and federal unemployment insurance compensation.
Regular payments from Old-Age, Survivors, and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act.
Supplemental Security Income Insurance (SSI), Title XVI of the Social Security Act, for the Aged, Blind, and Disabled. SSI is an income supplement program funded by general tax revenues and pays benefits based on financial need (not Social Security taxes). SSI is designed to help aged, blind, and disabled people who have little or no income and provides cash to meet basic needs for food, clothing, and shelter.
Needs-based scholarship assistance, and financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS (Stafford and Perkins loans, like any other kind of loans, are debt and not income).
Child support payments.
Non-cash benefits such as employer-paid or union-paid portion of health insurance or other employee fringe benefits, Medicare, Medicaid, food stamps, school meals, food or housing received in lieu of wages, and housing assistance.
Allowance, earnings, and payments made to individuals participating in WIOA programs or any other workforce development program for which eligibility is based upon a needs and/or income test.
Certain one-time cash payments including: tax refunds; one-time gifts; loans, which are debt and not income; assets from the sale of a home, property, or car; one-time insurance settlements; lump sum inheritances; one-time compensation for injury; etc.
Capital gains and losses.
Assets drawn down as withdrawals from a bank and IRA withdrawals.
Income earned while a veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, family compensation for service-connected death, vocational rehabilitation, and education assistance.
Cash welfare payments under a federal, state, or local income-based public assistance program (e.g., Temporary Assistance for Needy Families (TANF), Emergency assistance money payments, Refugee Cash Assistance (PL 97-212)).
Cash payments received under Title V of the Older American's Act.
Payments received under the Trade Readjustment Act of 1974.
Job Corps payments.
U. S. Housing and Urban Development (HUD) rental assistance subsidies.
Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, YouthWorks/AmeriCorps Programs, and Retired Senior Volunteer Program.
Subsidies for child care made on behalf of a family participating in the child care voucher program administered by the county Step Ahead Council.
General Assistance.
Foster child care payments.