



Adult and Dislocated Worker Eligibility Guidance

Purpose

This guidance provides the One-Stop Operator (OSO) and Career Service Provider (CSP) with the eligibility requirements and documentation required for the Title I Adult and Dislocated Worker programs.

Background

Across all titles, WIOA focuses on serving “individuals with barriers to employment”, as defined in WIOA Section 3(24), and seeks to ensure access to quality services for these populations. The WIOA Final Rule discusses priority and special populations for the Adult and Dislocated Worker programs at 20 CFR 680.600 through .660.

I. Adult Eligibility Requirements

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

- Age 18 or older;
- Citizen or national of the United States, or other lawfully admitted person;
- In compliance with the Military Service Act (for males born on January 1, 1960 and later)

In addition to the above requirements, the OSO and CSP must follow the Adult Priority of Services Policy when enrolling Title I Adults.

II. Dislocated Worker Eligibility Requirements

Individuals must meet the above requirements for Adult as well as fall under one of the 5 categories below for Dislocated Workers.

Category 1

- Has been terminated or laid off, or who has received a notice of termination or layoff;
- Is eligible for or has exhausted entitlement to unemployment compensation; or
- Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation; and
- Is unlikely to return to previous industry or occupation.

Individuals laid off or terminated because of the cyclical, intermittent, or seasonal nature of their employment may be eligible for individualized career services and training services as category 1 Dislocated Workers. Such services can only be made available to individuals who are currently unemployed and have indicated that they are seeking full-time, non-temporary or seasonal work. This does not apply to workers who are on a temporary layoff with a specific return to work date.

Category 2

- Has been terminated or laid off, or who has received a notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at a plant, facility or enterprise; or
- Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days

Category 3

- Was self-employed (including employment as a farmer, rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides, such as:
 - Failure of one or more businesses to which the self-employed individual supplied or obtained a substantial proportion of products or services;
 - Substantial layoffs, or permanent closures of one or more plants or facilities that support a significant portion of the State or local economy;
 - Depressed prices or markets for the articles produced by the self-employed individual

The determination that a person has become unemployed due to these conditions must be recorded in VOS. Any documentation provided to verify this criterion must be kept in the customer's electronic file and cited in VOS case notes.

Category 4

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

- Has been dependent on the income of another family member but is no longer supported by that income; or
- 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, or a call or order to active duty, or a permanent change of station, or the service-connected death or disability of the member; and
- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment

Category 5

- 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
- Is the spouse of a member of the Armed Forces on active duty and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment

III. Underemployed

In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. Individuals must meet one of the following to be considered underemployed:

- Employed and meets the definition of a low-income individual
- Employed full or part-time at an hourly wage of \$12.00 or less

Individuals who are employed and meet the definition of a low-income individual may receive career and training services under the Adult program on a priority basis. Individuals who meet the definition of an individual with a barrier to employment who are underemployed may also be served in the Adult program. However, unless they are a recipient of public assistance, a low-income individual, or are basic skills deficient, they are not eligible for service on a priority basis.

Please see Attachment A for a list of eligibility criteria and the documentation requirements.

References

WIOA Section 3(15), WIOA Section 3(24), 20 CFR 680.130, 20 CFR 680.600, 20 CFR 680.630, 20 CFR 680.640, 20 CFR 680.660, TEGL 19-16, Workforce Services Guidance - Title I Adult & Dislocated Worker Eligibility

Authorized by:

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Marla Rye, Executive Director Date

Attachment A: Title I Adult & Dislocated Worker Eligibility Documentation Requirements

Table 1: General Eligibility Requirements			
Criteria	Eligibility Requirement for:		Documentation Requirement
	Adult	DW	
U.S. Work Authorization (Citizenship Status)	X	X	Verification documents as listed on the USCIS Form 1-9: Any one from List A; or One From List B and one from List C combined
Birth Date/Age	X	X	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 Tribal records
Social Security Number	X	X	DD-214, Certificate of Release or Discharge from Active Military Duty Driver's License (if applicable) Employment Records IRS Form Letter 1722 Letter from the Social Services Agency Pay Stub Social Security Benefits Social Security Card W-2 Form
Selective Service Registration	X	X	Selective Service acknowledgment letter Form DD-214 "Report of Separation" Screen printout of the Selective Service Verification site Selective Service Registration Card Selective Service Verification (Form 3A) Stamped Post Office Receipt of Registration

Table 2: Veteran's Priority	
Eligibility Criteria	Documentation Requirement
<p>A "covered person" under the Jobs for Veterans Act is one of the following:</p> <p>VETERAN: An individual who served in the active military, army, naval or air service that was released under conditions other than dishonorable.</p> <p>THE SPOUSE OF: Any veteran who died of a service connected disability; A member serving on active military duty who is listed as missing in action, captured in the line of duty by a hostile force, or forcibly detained or interned in the line of duty by a foreign government or power; Any veteran with a total service connected disability rating or one who died while being evaluated for it. (Pub.L.107-288 Sec. 4215)</p>	Veteran Eligibility:
	DD-214, Certificate of Release/Discharge from Active Duty, Written communication with federal or Department of Veterans' Affairs or other veterans' service agency, or Telephone Verification with a government veterans' service agency
	Proof of marriage to veteran through:
	Military spouses ID Card Marriage Certificate Proof that the veteran fits one of the categories listed through: o Military records o Newspaper article o Obituary Notice o DD-214 Written communication with federal or Department of Veterans' Affairs or other veterans' service agency, or Telephone Verification with a government veterans' service agency Death Certificate Medical Records

Table 3: Low-Income Eligibility			
Criteria	Eligibility Requirement for:		Documentation Requirement
	Adult	DW	
Low-Income		X	Alimony Agreement Applicant statement Award letter from the 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

			<p>Quarterly estimated tax for self-employed persons Social Security benefits UI documents</p> <p><u>TANF•</u> Cross match with TANF public assistance records</p> <p><u>Other Public Assistance Recipient:</u> Copy of authorization to receive cash public assistance Copy of public assistance check Medical card showing cash grant status Public assistance records Refugee assistance record cross match with public assistance database</p>
Family Size/Individual Status		X	<p>Birth Certificate Decree of Court Proof of disability (to prove individual status) Divorce Decree Landlord Statement/Lease Marriage Certificate Medical Card Most Recent Tax Return supported by IRS Documents Form Letter 1722 Public Assistance/Social Service Agency Records Public Housing Authority Written Statement from a Publicly-Supported 24-Hour Care Facility or Institution (e.g. Mental, Prison) Telephone Verification Applicant Statement if no other documents are available and is accompanied with a case note.</p>
Individual/Family Income		X	<p>Alimony Agreement Rental Agreement or Lease (Family Size) Award Letter from the Veterans Administration Bank Statements (Direct Deposit or Regular Cash Deposits) Compensation Award Letter Court Award Letter Employer Statement Farm or Business Financial Records Housing Authority Verification (Family Size) Pay Stubs Pension Statement</p>

			<p>Public Assistance Records Worker's Compensation Records Quarterly Estimated tax for Self-Employed Persons (Schedule C) Social Security Benefits Records Unemployment Insurance Documents and/or Printout Telephone Verification Applicant Statement if no other documents are available and is accompanied with a case note</p>
<p>Individual(s) With Disabilities</p>		<p>X</p>	<p>Letter from Drug or Alcohol Rehabilitation Agency Letter from Child Study Team Stating Specific Disability Medical Records/ Physician's Statement Psychiatrist's or Psychologist's Diagnosis School Official Records or Statement Sheltered Workshop Certification Social Service Records/Referral Social Security Administration Disability Records Veterans Administration Letter/Records Vocational Rehabilitation Letter/Statement Workers Compensation Record Telephone Verification Observable Condition as Documented in a Jobs4TN Case Note by Staff Applicant Statement if no other documents are available and is accompanied with a case note.</p>

Table 4: Dislocated Worker

Criteria	Eligibility Requirement for:	Documentation Requirement
	Dislocated Worker	
Dislocated Worker Program	Category 1	<p>Proof of termination or lay-off: Employer or union representative verification: letter, phone or electronic verification of layoff;</p> <p>Individual's name on a WARN notice; or Media article/general announcement that includes source and date; or Trade Act eligibility documents that confirm layoff; or Detailed telephone verification; or Detailed registrant statement.</p> <p>AND</p> <p>Is eligible for or has exhausted Unemployment Insurance (UI) (current receipt or exhausted): UI Award Letter; or</p> <ul style="list-style-type: none"> • Statement from UI Representative <p>OR</p> <p>Proof of attachment to the workforce, but ineligible for unemployment compensation due to insufficient earnings or services not covered by UI law: Pay stubs; or</p> <ul style="list-style-type: none"> • Employer verification: letter, phone or electronic verification that employer is not subject to UI law; or W-2 and or tax returns. <p>AND</p> <ul style="list-style-type: none"> • Unlikely to return to previous industry or occupation
	Category 2	<p>Proof of Employment: Paystub; or UI document that confirms plant closure or substantial layoff; or Individual's name on state-approved WARN notice; or Employer or union representative verification: letter, phone or electronic verification.</p> <p>AND</p> <p>Proof of closure or substantial layoff:</p> <ul style="list-style-type: none"> • WARN notice; or • Labor Market Analyst Statement; or

		<p>Media article/general announcement that includes source and date; or Employer or union representative verification: letter, phone or electronic verification; or UI document that confirms plant closure or substantial layoff.</p> <p>OR</p> <p>Paystub; or UI document that confirms plant closure or substantial layoff; or Individual's name on state-approved WARN notice; or Employer or union representative verification: letter, phone or electronic verification.</p> <p>AND</p> <p>Proof of closure:</p> <ul style="list-style-type: none"> • Employer or union representative verification: letter, phone or electronic verification; or • Media article/general announcement that includes source and date
	<p>Category 3</p>	<p>Evidence of Self-Employment:</p> <ul style="list-style-type: none"> • Business license or permits; or • IRS forms and tax documents; or • Monthly Profit and Loss Statements. <p>AND</p> <p>Evidence of business closure: Chapter 7 or Chapter 11 bankruptcy published in the newspaper, with the date shown; or Evidence of business failure of supplier or customer; or Insurance claims or other proof of income loss; or Disaster insurance claim; or Federal or state declaration of disaster; or Statement from an Accountant, Bookkeeper or Tax Preparer; or Articles of Dissolution.</p>
	<p>Category 4</p>	<p>Court records; or Divorce documents; or Bank records; or Public assistance records; or Warn Notice; or Death Certificate; or Self-attestation; or Registrant statement; or Permanent Change of Station Documentation; or DD-214 indicating type of discharge; or Employer verification: letter, phone or electronic verification</p>

	Category 5	Proof of permanent Change of Station Documentation; AND Unlikely to return to previous industry or occupation
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