



Program Management Policy

TITLE: Adult and Dislocated Worker Eligibility

POLICY APPROVED BY:

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Heather Ficht (Apr 25, 2024 15:46 PDT)

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January 24, 2024

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July 1, 2023

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April 24, 2024

PURPOSE:

To convey expectations for the enrollment of adult and dislocated workers into services funded under Title I of the Workforce Innovation and Opportunity Act (WIOA).

POLICY

Contracted WIOA Adult and Dislocated Worker (DW) Service Provider(s) must determine eligibility of applicants prior to providing a WIOA funded individualized, training, or training related support service. Service providers must comply with this and all related East Cascades Works' policies and standards.

Adult:

To be eligible to receive services as an Adult, an applicant must be:

- 18 years or older, and
- Registered with Selective Service, if applicable.

Dislocated Worker:

To be eligible to receive services as a Dislocated Worker, an applicant must be:

- Qualified as an adult (see above), and
- Defined as one of the following:
 - Terminated or Laid-off Worker,
 - Laid off due to Business Closure or Substantial Lay-off,
 - Self-Employed Business Closure,
 - Displaced Homemaker,
 - Displaced Military Spouse, or
 - Separating Service Member.

The following services are limited to individuals who are Legal to Work in the United States and for whom that status has been verified and documented by a WIOA service provider.

- Job placement.
- Occupational post-secondary skills training.
- Work experience / Internship.



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- Supportive services or needs-related payments paid directly to the participant or from which the participant receives direct financial benefit.

Services available to all individuals, regardless of Legal to Work Status:

- Labor exchange services such as labor market information, career exploration, career guidance, resume writing assistance, and job search assistance.
- Information on workers' rights and where to find legal assistance.
- Referrals to community resources such as transportation, childcare support, food assistance, housing assistance, medical assistance, and other similar resources.
- Individualized services such as career assessments, development of an individual employment plan, group counseling, one-on-one case management, career planning, and information on foreign credential evaluation services and obtaining credit for prior learning.
- Basic skills education, including English language instruction and high school equivalency.
- Assistance in completing paperwork to finalize work authorization.
- Assistance in applying for an occupational license, including the cost of such applications.

DEFINITIONS:

Terminated or Laid-Off Worker - an individual must meet **each** of the following requirements:

- Has been terminated or laid off, or has received a notice of termination or layoff, from employment, including a separation notice from active military service (refer to Separating Service Member for additional information); and
- Is either eligible for or has exhausted their unemployment insurance compensation, or has been employed for a period of at least three months to show attachment to the workforce, but is not eligible for unemployment insurance compensation due to insufficient earnings or having worked for an employer that is not covered under the State unemployment compensation law; and
- Is unlikely to return to their previous industry or occupation. This can be due to any of the following circumstances:
 - Negative economic conditions or sudden economic impact on industries or occupations (such as the pandemic).
 - A decline in previous occupations in the local market.
 - Circumstances that cause significant barriers to employment, such as criminal background, lack of high school diploma or GED, disability, homelessness, cultural or language barriers, older worker (55+), or deficient in basic skills.
 - Their previous industry or occupation has been eliminated or the applicant has been unable to secure a position at a compensation level comparable to their previous occupation.
 - They exhausted their unemployment benefits and have been unable to find a job in their previous industry or occupation.
 - They were seasonally employed and unlikely to return because of mechanization or significant variance to normal seasonal employment patterns, resulting in uncertain return-to-work duties.



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Laid off due to Business Closure Substantial Lay-Off - an individual must meet **one** of the following requirements:

- Has been terminated or laid off from employment, or has received notice of termination or layoff, because of the permanent closure of, or any substantial layoff (defined as 10 or more affected workers) at the company (includes a plant, facility, military installation, or business enterprise); or
- Is employed at a company where the employer has made a general announcement that the company or location will close within 180 days. A general announcement may include media coverage, filing of a Worker Adjustment and Retraining Notification (WARN) with the State, or corporate written notice of intent to close within 180 days (written notice includes email communication, employer website and/or social media postings).

Self-employed Business Closure - an individual must meet the following requirement:

- Was self-employed (including employment as a farmer, rancher, angler, or an independent contractor or consultant not technically an employee of a firm or agency) and is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.

Economic condition - is defined as the present situation in the overall economy of the area where the individual resides. When a local economy contracts or is weakened, it may impact self-employed individuals. Examples include recession, impacts of pandemic, and impacts of major employers that support a high percent of employment and local purchasing power, such as:

- Failure of one or more businesses to which the self-employed individual supplied a substantial portion of products or services.
- Failure of one or more businesses from which the self-employed individual obtained substantial portion of products or services.
- Substantial layoffs from, or a permanent closure of, one or more plants or facilities that support a significant portion of the local economy.
- Unemployment rate for the county exceeds the State overall unemployment rate.
- Depressed prices or markets for articles produced by the self-employed individual.

Displaced Homemaker – which also equates to Dislocated Worker eligibility status – if **one** of the following situations applies:

- The applicant has been providing unpaid services to their family in the home and has been dependent on the income of another family member, but is no longer supported by that income; or
- The applicant has been providing unpaid services to their family in the home and 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, a permanent change of station or the service-connected death or disability of the service member; or
- The applicant has been providing unpaid services to their family members in the home and is unemployed or underemployed and is having trouble obtaining or upgrading employment.

An applicant may also meet one of the other Dislocated Worker eligibility criteria to be eligible for services under Dislocated Worker as a Displaced Homemaker.



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Displaced Military Spouse - the applicant must meet **one** of the following requirements:

- Is the spouse of a member of the Armed Forces on active duty, and has experienced a loss of employment as 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 having trouble obtaining or upgrading employment.

Separating Service Member – the applicant must meet the following requirement and documentation with a DD-214 is required:

- Is a member of the Armed Forces who is separating from service to enter or re-enter the civilian labor force (being discharged), and the discharge is for any reason other than dishonorable.

REFERENCES:

WIOA section 3(24)

20 CFR 680.600 through .660.

Training and Employment Guidance Letter No. 19-16

Training and Employment Guidance Letter No. 10-23

Oregon WIOA Title I Guidance Letter: Documentation Requirements for Participants

ECW PM02 Supportive Services and Needs Related Payments

ECW PM05 Individual Training Accounts

ECW PM08 On the Job Training

ECW PM14 Customized Training

ECW PM15 Adult Work Experience









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Final Audit Report

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