



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

POLICY ISSUANCE

Date: September 20, 2024

Number: 2024-02

WIOA ADULT AND DISLOCATED WORKER ELIGIBILITY AND ENROLLMENT POLICY

INTRODUCTION

The Workforce Innovation and Opportunity Act (WIOA) provides resources, services, and leadership tools for the workforce system to help individuals find and maintain good jobs and improve employer prospects for success in the global marketplace. As stated in WIOA, a primary goal of public workforce programs is to help people (especially those facing employment challenges) gain access to jobs, education, training, and support services needed to succeed in the labor market.

WIOA Title I provides authority for three programs: Adult, Dislocated Worker, and Youth programs. This policy defines WIOA Adult and Dislocated Worker eligibility and provides guidelines to ensure that every participant who receives WIOA Program-funded services is eligible and registered to receive those services.

Enrollment in WIOA Individualized Career Services is provided after staff determine that such services are required to retain or obtain employment. Staff may use recent previous interviews, evaluations, or assessments by partner programs to determine if individual career services would be appropriate. Individualized career services include specialized assessments, developing an individual employment plan, career counseling, training services, work experiences, and more. Assessments to be used in determining eligibility can be found in the Workforce Development Board (WDB) of Solano's [Assessment Policy](#).

QUESTIONS

Questions relating to this policy should be directed to the Tracy White, One-Stop Manager, at twhite@solanowdb.org or at 707.863.3520.

ATTACHMENTS

- Attachment A: Eligibility Checklist for WIOA Adult Programs
- Attachment B: Allowable Eligibility and Data Verification Sources
- Attachment C: Definitions of Key Terms
- Attachment D: Policy Acknowledgement Page

RESCISSIONS

This policy replaces and supersedes *WDB 2018-06 – WIOA Adult and Dislocated Worker Enrollment and Eligibility Policy*.

GENERAL WIOA ELIGIBILITY GUIDELINES

To participate in the WIOA Adult or Dislocated Worker program, an individual must meet basic eligibility requirements as defined by federal mandate, California Unemployment Insurance Code Section 9601.5, and the local plan to participate in WIOA adult programs. An individual who uses WIOA self-services or receives information-only services does not need to meet WIOA eligibility requirements.

To be eligible for WIOA Adult or Dislocated Worker funding, an individual must:

- be 18 years of age or older;
- be authorized to work in the U.S. before completing services; **and**
- meet Military Selective Service registration requirements, if applicable.

WIOA is not considered an entitlement program, meaning that although an individual might meet eligibility criteria, it does not mean they are guaranteed services, particularly within the WIOA Adult program. Program staff may consider the individual's need, the participant's ability to benefit, and program specific requirements in determination of program eligibility.

Solano County residents receive priority for enrollment into WIOA programs, with the exception of employer-based trainings and Rapid Response enrollments, whose enrollment may be based on the location of the business. Non-Solano County residents may be enrolled on a case-by-case if approved by a WIOA Program Manager. Enrollment of non-Solano County residents may require coordination with the WIOA provider of residency.

Underemployed individuals are eligible to receive employment and training services under WIOA as either Adult or Dislocated Workers per guidance below.

Additional eligibility or priority of service requirements apply depending on the WIOA funding source.

Authorization to Work Documentation

WIOA services that are not considered "federal public benefits" may be delivered to program-eligible participants without proof of work authorization. This can be helpful in many situations, including where workers are awaiting work authorization, already have work authorization but do not have the documents to demonstrate it due to surviving a disaster, recently returning from incarceration, experiencing homelessness, leaving foster care, moving to a new location, or otherwise lacking full access to a vital document. (*Note: Staff do not need to verify that one of these scenarios occurred.*)

The following services may be provided to eligible individuals with and without verifying work authorization:

- Labor exchange services such as labor market information, career exploration, career guidance, resume writing assistance, and job search assistance;
- Information on worker rights and where to find legal assistance;
- Referrals to community resources that can provide supportive services 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, information on foreign credential evaluation services and on obtaining credit for prior learning;
- Basic skills education, including English language instruction and high school equivalency;
- Assistance in completing paperwork to finalize work authorization; and
- Assistance in applying for an occupational license, including the cost of such applications.

Staff can improve the customer experience by reducing administrative burden for individuals (particularly those who have historically been underserved) by helping them obtain necessary documents for employment, such as a driver's license or identification card, a social security card, and/or a birth certificate.

The following services may **not** be provided without verification of work authorization documentation:

- Job placement,
- Supportive services that represent a direct financial benefit such as a voucher or reimbursement, relocation expenses, or needs-related payments,
- Occupational post-secondary education or training, or
- Work-based learning such as on-the-job training and incumbent worker training.

Selective Service Requirements

The law requires males born on or after January 1, 1960 and residing in the U.S. to register with Selective Service within 30 days of their 18th birthday. For WIOA eligibility, every applicable male must be registered with the Selective Service. Selective service documentation, if applicable, must be verified prior to enrollment in WIOA programs.

This includes males who are:

- Citizens of the U.S.;
- Non-US citizens, including undocumented immigrants, legal permanent residents, and refugees, who take up residency in the U.S. before their 26th birthday;
- Veterans discharged before their 26th birthday; **and/or**
- Dual nationals of the U.S. and another country regardless of whether they live in the U.S.

For U.S. citizens, Selective Service registration is not required for:

- Men who are serving in the military on full-time active duty;
- Men attending the service academies;
- Male veterans discharged after their 26th birthday;
- Disabled men who are continually confined to a residence, hospital or institution; **and/or**
- Men who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, they must register within 30 days after being released if they have not yet reached their 26th birthday.

For non-U.S. citizens, Selective Service registration is not required for:

- Non-U.S. males who came into the U.S. for the first time after their 26th birthday;
- Non-U.S. males who entered the U.S. illegally after their 26th birthday. He must provide proof that he was not living in the U.S. from age 18 through 25; **and/or**
- Non-U.S. males who have a valid non-immigrant visa.

Before being enrolled in WIOA Title I-funded services, all required males who have not registered with the Selective Service and have not yet reached their 26th birthday must register through the Selective Service website at www.sss.gov. If a man under the age of 26 refuses to register with the Selective Service, WIOA Title I-funded services must be suspended until he registers.

For individuals who did not register for Selective Service by their 26th birthday and who believe they were exempt from registering, they may receive a Selective Services System Status Information Letter (SIL) on the Selective Service website (along with a list of acceptable documentation) at <https://www.sss.gov/verify/sil/>.

If a male over 26 that was required to register failed to register, the WDB's local policy is to evaluate whether their failure to register was knowing and willful via a Self-Attestation Statement.

Individuals who are born female and changed their gender to male are not required to register. Individuals who are born male and changed their gender to female are still required to register.

WIOA ADULT ELIBILITY

WIOA Adult programs are open to any individual that meets general WIOA eligibility criteria. However, while recognizing the needs of all participants, the WIOA Adult program is focused on assisting those most in need and helping to place them on paths to self-sufficiency.

As such, individualized career services and training services under WIOA Adult funding must be given on a priority basis, regardless of funding levels, as outlined in WIOA Sec. 134(c)(3)(E) and Sec. 133(b)(2)(A). The WDB will ensure that participants in the WIOA

Adult program meet the federal, state, and local priority of service guidelines, so that the targeted Adult populations can access the WIOA system on a priority basis.

Priority of service means that an individual who meets established criteria must be given priority in the program over other individuals. The Department of Labor (DOL) expects that at least 50.1% of Adult enrollments are from one of the WIOA-defined priority populations, and envisions that priority populations are 75% of Adult enrollments.

Federal WIOA law has identified the following as Adult priority of service populations:

- public assistance recipients,
- low-income adults; **and/or**
- individuals who are basic skills deficient.

The California and Solano workforce boards have identified the populations below as additional priority groups based on local analysis of economic and State or county conditions. These identified priority populations are not to be interpreted as additional eligibility criteria.

- Individuals over the age of 55 (locally-defined)
- Individuals with a disability (locally-defined)
- Justice-involved individuals, current or previous involvement (locally-defined)
- Long-term unemployed (locally-defined)
- Single parents (locally-defined)
- Transgender and gender non-conforming (state-defined)

Although not relevant for the 50.1% minimum benchmark, State or local priority populations will be considered when calculating progress towards the 75% priority of service benchmark.

Written copies of the above local priority of service populations must be available at all service delivery locations and, to the extent practicable, posted in a way that makes it possible for members of the general public to easily access the information.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. For the purposes of program eligibility, priority of service will be implemented through priority of intake and enrollment. Out of a group of individuals who have applied for WIOA enrollment, individuals who are eligible for first priority must be served and processed first, followed by individuals who are eligible for second priority, and so forth. In addition, targeted programs and initiatives operated through WIOA Adult funding may be focused on priority populations where feasible.

Priority of service under the WIOA Adult program will be given in the following order:

1st Priority	Veterans and eligible spouses who are also low-income, recipients of public assistance, and/or basic skills deficient (including English language learners)
2nd Priority	Individuals who are not veterans / eligible spouses but are recipients of public assistance, other low-income individuals, and/or individuals who are basic skills deficient (including English language learners)
3rd Priority	Veterans and eligible spouses who are not included in WIOA's priority groups
4th Priority	Individuals who are neither veterans / eligible spouses nor meet criteria to be considered part of a federal WIOA priority group, but are a member of a local priority group
5th Priority	All other individuals who do not meet the above priorities

Any barriers identified for priority of service purposes must be verified through allowable documentation outlined in Attachment B.

For employed individuals seeking WIOA Adult-funded services, employment status must meet one of the following criteria to be enrolled:

1. Less than full-time if the individual desires full-time employment,
2. A position that is inadequate with respect to their skills and training, **or**
3. Wages are below the self-sufficiency standard or are less than 80% of previous wages.

Self-employed individuals can be considered underemployed if their employment meets the above criteria; therefore, they can be served in the Adult program.

Individuals who are underemployed and meet the definition of a low-income individual or other state-identified barrier may receive career and training services under the Adult program on a priority basis.

Receives Public Assistance Priority Population

Public assistance recipients are one of the federally-identified priority populations under WIOA Adult. To be considered a public assistance recipient, the individual must receive (or is a member of a family that receives), currently or in the past six (6) months, one of the following public benefits:

- Supplemental Nutrition Assistance Program (SNAP), also called CalFresh in California;
- Temporary Assistance for Needy Families (TANF), also called CalWORKS in California;
- Supplemental Security Income (SSI); or
- Other State or local income-based public assistance.

Low-Income Status Priority Population

Low-income adults are one of the federally-identified priority populations under WIOA Adult. Staff must determine an individual's family size before making a low-income determination, since income status is based on total family income.

If an individual is unhoused (called "homeless" in WIOA legislation), they are automatically determined to meet the low-income definition and may be counted as a low-income adult for priority of service purposes. If an individual with a disability's total family income is over the low-income threshold, but their individual income level is below the low-income threshold, then they may be counted as a low-income adult for priority of service purposes.

WIOA regulations state that a low-income adult is considered an individual who is in a family with a total family income that does not exceed the higher of the following:

- The federal poverty line, or
- Seventy percent (70%) of the Lower Living Standard Income Level (LLSIL)

Only income received during the six-month period immediately prior to the individual's application for WIOA is used for income determination. Eligibility is determined based on the *Lower Living Standard Income Level (LLSIL) and Poverty Guidelines Policy* approved for the program year of eligibility.

A income worksheet may be used as a Self-Attestation Statement if signed. Individuals should outline the sources and amount of family income for the six (6) month-period prior to application.

The following income sources should be included in an individual's income calculation:

- Alimony, military family allotments, or other regular support from an absent family member or someone not living in the household;
- Child support payments (including foster care child payments);
- College or university scholarships (not needs-based), grants, fellowships, and assistantships;
- Monetary compensation for services, including wages, tips, salary commissions, or fees before any deductions;
- Net gambling or lottery winnings;
- 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);
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense);
- Private pensions, government employee pensions (including military retirement pay);
- Regular insurance or annuity payments (including state disability insurance);

- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp);
- Severance payments;
- Social Security Disability Insurance payments;
- Social Security old age and survivors' insurance benefit payments;
- Terminal leave pay; **and**
- Unemployment insurance compensation.

The following income sources should not be included in an individual's income calculation:

- Need-based public assistance payments (including Temporary Assistance for Needy Families, supplemental security income, emergency assistance money payments, and non-federally-funded general assistance or general relief money payments);
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants;
- Supplemental Educational Opportunity Grants and Federal Work Study;
- Needs-based scholarship assistance;
- Loans;
- Veterans benefits outlined in further detail below;
- Military pay or allowances earned while the veteran was on active military duty and certain other veterans' benefits (i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance);
- Capital gains;
- Any assets drawn down as withdrawals from a bank, such as the sale of property, a house or a car;
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
- Non-cash benefits such as employer paid or union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages;
- The value of food and fuel produced and consumed on farms;
- The imputed value of rent from owner occupied nonfarm or farm housing;
- Medicare, Medicaid, food stamps, school meals, and housing assistance;
- Allowances, earnings and payments to individuals participating in programs under WIOA (except on-the-job training wages); nor
- Income excluded in determining eligibility as defined in other federal programs.

Methods for calculating income must be outlined in procedural documents.

Basic Skills Deficiency Priority Population

Individuals who need to improve their basic literacy or English language skills, or are otherwise determined to be deficient in basic skills, are considered a federally-identified priority population under WIOA Adult.

Basic skills include the ability to compute or solve problems; or read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society.

Basic academic or English skills are documented through:

- Enrollment in a Title II Basic Adult Education or English Language Learner program;
- An assessment of skills using an approved State test that show English, reading, writing, or computing skills at a grade level of 8.9 or below; or
- Staff-documented observations of limited English language proficiency.

English language learners must also document that their native language is a language other than English, or that they live in a family or community environment where a language other than English is the dominant language. This may be validated through Self-Attestation or a signed WIOA program application or enrollment form.

The WIOA and DOL regulations do not further define the level of literacy "necessary to function on the job, in the individual's family, or in society." The WDB locally defines basic skills deficiency to include stated or assessed survival skills, including but not limited to: computer (or digital literacy) skills and financial literacy skills. It is recognized that employers often consider a high school diploma as a basic literacy level; as such, the WDB includes a lack of a high school diploma within the definition of basic skills deficiency.

WIOA DISLOCATED WORKER ELIGIBILITY

The WIOA Dislocated Worker program offers employment and training services for eligible workers who are unemployed through no fault of their own or who have received an official layoff notice.

To be eligible to receive WIOA services as a dislocated worker as defined in WIOA Sec. 3(15), an individual must meet at least one of the six criteria below. For each Dislocated Worker eligibility criteria, documentation must be provided to verify every required element.

1. *General Dislocation* – The individual must meet **all** three criteria below:
 - has been terminated or laid off, or has received a notice of termination or layoff, from employment;
 - meet one of the following:
 - is eligible for or has exhausted entitlement to unemployment compensation, or

- has been employed for a duration sufficient to demonstrate attachment to the workforce (defined by the State as at least three consecutive months in the last twelve-month period), but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state's Unemployment Insurance law; **and**
- Is "unlikely to return to a previous industry or occupation."

The Governor of California has determined that California's Unemployment Insurance (UI) profiling methodology and referral process meets this dislocated worker eligibility criteria. Therefore, if an individual receives a RESEA appointment, then no further documentation is needed to establish these criteria.

2. *Dislocation from Facility Closure* – The individual must meet **one** of the following criteria:
 - has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; **or**
 - is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.
3. *Self-Employment Dislocation* – The individual was self-employed (including employment as a farmer, rancher, fisherman, independent contractor, or consultant) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.
4. *Displaced Homemaker* – The individual as defined in WIOA Sec. 3(16) was providing unpaid services to family members in the home, is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment, and:
 - 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, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.
5. *Separating Military Service Members* – The individual is a separating or separated service member with a discharge other than dishonorable, who has received a notice of separation from the Department of Defense within 48 months of WIOA application. The DD-214 satisfies documentation of dislocated worker status, including "unlikely to return to a previous industry or occupation."

6. *Dislocated Spouse of a Military Service Member* – The individual is the spouse of a member of the Armed Forces on active duty as defined in Sect. 10(d)(1) of Title 10, U.S. Code, and who:
- has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such members; **or**
 - is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

For employed individuals seeking WIOA Dislocated Worker-funded services, employment must meet **one** of the following two criteria:

1. Employment is “interim,” identified as:
 - Employment less than full-time if the individual desires full-time employment,
 - Short-term contract-based employment, **or**
 - Employment through a temporary or staffing agency.
2. Employment is at a level below the self-sufficiency standard or below a level commensurate with previous experience, identified as:
 - A level not commensurate with the individual’s demonstrated level of education and/or skill achievement,
 - A wage that is less than the self-sufficiency standard, **or**
 - Current job earnings that are less than 80% of their previous job earnings.

Workers who have received a notice of layoff, but who have not yet been laid off and have no other sources of employment are not subject to a review of underemployment status.

VETERAN PRIORITY OF SERVICE

The Jobs for Veterans Act (JVA) of 2002 and the Veterans’ Benefits, Health Care, and Information Technology Act of 2006 provides that covered veterans and eligible spouses receive “Priority of Service.” Staff must give first consideration for program participation to covered veterans and eligible spouses who meet the eligibility criteria of a U.S. DOL training, employment, or placement service in any workforce preparation program.

Veterans’ priority is required under federal law; however, it is not intended to displace existing eligibility requirements for WIOA. An individual must first qualify for WIOA before a priority of service can be applied. Staff must use the following guidelines when determining priority for DOL-funded services:

- If the existing provisions are mandatory, a veteran must meet both the existing provisions and the veterans’ provisions to receive priority. A non-veteran receives priority over a veteran who does not meet the mandatory provisions.
- If the existing provisions are optional, a veteran receives priority.

At the point of entry, staff will inform covered persons that by identifying as a veteran or an eligible spouse, they are entitled to Priority of Service. In addition, staff must inform covered persons of the full array of employment training and placement services available, as well as the applicable eligibility requirements for programs and services.

Verifying Veteran Status

Any individual self-identifying as a covered person should be provided immediate priority in the delivery of employment and training services. No covered person should be denied access on a priority basis to any services provided by program staff in order to verify covered person status.

It is neither necessary nor appropriate for any staff to require verification of the status of a veteran or eligible spouse at the point of entry, unless the individual who self-identifies as a covered veteran or eligible spouse:

1. Is to immediately undergo eligibility determination and must be registered or enrolled in a program; **or**
2. The applicable federal program rules require verification of covered Veteran or eligible spouse status at that time.

When a veteran does not have verifying documentation of veteran or eligible veteran status, the veteran or eligible spouse should be enrolled (providing other required documentation is provided) and provided immediate priority. They should be permitted to follow-up subsequently with any required verification of covered status. To receive training services under WIOA, veteran status must be verified.

Processes to identify veterans and eligible spouses who access service delivery points and inform veterans and eligible spouses of their priority of service must be outlined in procedural documents.

Exemption of Military Service-Related Income

Many types of income related to military service should not be included when determining if a veteran or eligible spouse meets “low income” eligibility standards.

Forms of exempted military service-related income per Title 38 U.S.C. 4213:

- Pay and/or financial allowances earned while a veteran was on active duty
- Any financial benefits received by a covered person under the following Chapters of Title 38 of the U.S. Code:
 - 11. Compensation for service-connected disability or death
 - 13. Dependency and indemnity compensation for service-connected deaths
 - 30. All-volunteer force educational assistance program
 - 31. Training and rehabilitation for veterans with service-connected disabilities
 - 35. Survivors’ and dependents’ educational assistance
 - 36. Administration of educational benefits

- Benefits received under Chapter 106 of Title 10 U.S. Code, Educational assistance for members of the selected reserve

Pension payments authorized by Title 10 U.S. Code, such as those received by military retirees whether or not their retirement was based on disability, are not exempt and are to be included in “low income” calculations. Also, pension benefits paid are not exempt under Chapter 15 of Title 38 U.S. Code.

Veterans Assistance (VA) benefits for education and training services do not constitute “other grant assistance” under WIOA’s eligibility requirements.

CO-ENROLLMENT IN WIOA CORE PROGRAMS

The WDB allows co-enrollment in youth and adult programs (Title I) and across all WIOA core programs or other grant-funded programs where appropriate. Individuals who meet the respective program eligibility requirements may participate in core WIOA programs concurrently (20 CFR 681.430). Such individuals must be eligible under the respective program’s eligibility criteria applicable to the services received.

Staff may determine, for these individuals, the appropriate level and balance of services under grant-funded programs. Staff must identify and track the funding streams which pay the costs of services provided to individuals who are participating in WIOA (or other) programs concurrently, and ensure no duplication of services. When determining in which program(s) to enroll a participant, the decision must be based on the service needs of the participant.

ELIGIBILITY VERIFICATION AND ENROLLMENT PROCESS

When registering an individual for WIOA services, staff must ensure that the individual is eligible in accordance with the eligibility requirements for WIOA (age, selective service registration, and authorization to work).

For an individual to be registered and enrolled into WIOA Adult or Dislocated Worker programs, all of the following must occur:

1. *Eligibility Determination* – Staff must collect information needed for eligibility determination. Information may be collected using several methods, including CalJOBS, personal interviews, the individual’s WIOA application, and or through assessment tools. The applicant must be informed that all information provided is subject to verification and that false information is grounds for termination and possible prosecution under the law.

U.S. DOL states processes for gathering information for eligibility determination must be done as efficiently as possible to administer important services timely. They also recognize that there may be times when the grantee can play a crucial role in helping participants obtain documentation, such as driver’s licenses or identification cards, social security cards, and/or birth certificates. In many cases, the documentation may be gathered at later dates or be substituted with

equivalently acceptable documentation. WIOA staff may also presume eligibility for individuals based on a single known characteristic, such as for unhoused individuals. Procedures should include opportunities to request documentation after intake and initial service provision.

2. The individual must be asked for Equal Opportunity (EO) data. The WIOA application or other intake forms may be used to request EO data. Staff and subrecipients must request EO data, but an individual must not be required to disclose.
3. Staff must enter a staff-assisted basic career service, individualized career service, or training service for the individual into the CalJOBS system.

Staff must maintain a secured file for each program applicant and registrant which contains copies of all documents collected. If individuals are not enrolled in WIOA, files must be maintained for at least six months and then be destroyed according to participant privacy guidelines.

There is no limit on how much time is allowed between application date and enrollment date, but enrollment should be completed within 30 days of when a participant initiates applying for WIOA enrolled services. Once the application process is started (meaning the final WIOA application is entered into CalJOBS), staff and subrecipient should obtain any required documentation, review an applicant's information, and complete WIOA enrollment within the 30-day timeframe. Otherwise, CalJOBS will automatically close the application as "closed-never enrolled."

For Adult and Dislocated Workers, enrollment (also called registration in WIOA) occurs the first day on which the individual actually begins receiving staff-assisted core, intensive, training services, or subsidized employment. The point of registration is when performance tracking and accountability begins. Enrollment in CalJOBS occurs when staff enter a participation date on the participation screen and enter the first activity code.

DOCUMENTS FOR VERIFYING WIOA ELIGIBILITY

Each file (physical or electronic) for enrolled WIOA participants must include a completed (including signed) application, equal opportunity information (which may be collected on the WIOA application or similar form), and documentation that confirms general WIOA eligibility and any additional Dislocated Worker eligibility or WIOA Adult Priority of Service data elements. All required questions on the intake form must be answered, and both the applicant and staff must sign the intake form.

A WIOA Eligibility Checklist is included in Attachment A. Required documentation sources for general WIOA eligibility are outlined in Attachment B; only one document from every applicable category must be provided. Definitions outlining eligibility categories and barriers to employment are provided in Attachment C to aide in eligibility determination.

Procedural documents must outline the process for documenting and verifying eligibility for WIOA-funded programs, using the acceptable source documentation outlined in this policy. The procedures should be customer friendly and not add to the frustrations already experienced by individuals who are out of work. It is not the intention of WIOA to discourage participation by imposing difficult documentation and verification requirements.

Use of Self-Attestation

Self-attestation is allowed as a viable source for documenting eligibility for certain WIOA Title I data elements. Self-attestation should not be the first avenue for verification of data elements but may be used if documentary evidence is not available or if it cannot be provided when time is of the essence. The WIOA Intake or Application form can also count as a self-attestation statement as long as the individual identifies his or her status for the permitted criteria and signs and dates the form attesting to this self-identification.

The applicant's difficulty in obtaining documentation does not need to entail hardship or suffering to justify using an applicant statement. In taking an applicant's statement, it is also not necessary to obtain corroboration. WDB procedures must provide guidance to case managers about how to take acceptable applicant statements.

Self-attestation statements and participant's signatures can be on paper or in CalJOBS with an electronic signature. Electronic and digital signatures may be used. An electronic submission from the participant (such as an email, text, or unique online survey response) is also considered an electronic signature or verification. Electronic submissions must be participant-generated and traceable to the participant to be considered self-attestation statements.

Staff must retain documentation of the self-attestation such as hard copies in the participant folder or in CalJOBS with a remote signature.

Self-attestation may be used as documentation for the following eligibility elements:

- Disability
- Dislocated but Ineligible to Receive UI Payments
- Dislocation from Facility Closure
- Displaced Homemaker
- English Language Learner
- Justice-Involved
- Low-income Status (with family size and income determination)
- Other Basic Skills Deficiency
- Self-Employment Dislocation
- Single Parent
- Substantial Cultural Barriers
- Underemployed at Time of Dislocation
- Unemployed or Underemployed and Experiencing Difficulty Obtaining or Upgrading Employment

- Unhoused Individual
- Unlikely to Return to Previous Industry/Occupation
- Without a High School Diploma

Documentation through WIOA Intake and Registration/self-attestation should not be overused. U.S. DOL and California’s Employment Development Department (EDD) may monitor for overuse of self-attestation when determining program eligibility. However, DOL encourages grantees to consider self-attestation as a viable alternative to source documentation, particularly for certain populations whose life circumstances may preclude immediate access to certain documents.

Case Notes

Case notes in CalJOBS or on paper by staff are allowed as a viable source for documenting eligibility for certain WIOA Title I data elements. Case notes should not be the first avenue for verification of data elements but may be used for the following eligibility elements:

- Basic Skills Deficiency
- Employed at Time of Participation
- Justice-Involved
- Layoff or Notice of Layoff (must be entered by EDD staff that verifies attendance of RESEA or PJSA)
- Unemployed at Time of Participation
- Unlikely to Return to Previous Industry or Occupation

The case note should provide an auditable trail back to the source of information verified. The case manager does not need to keep a hard copy of the information verified in the participant’s case file. Case notes must identify at a minimum:

1. A participant’s status for a specific data element,
2. The date on which the information was obtained, **and**
3. The case manager who obtained the information.

Documentation case note example: A case manager verified an individual is basic skills deficient by viewing school records, specifically, enrollment in a Title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and date of enrollment, which could allow an auditor/monitor to later retrieve this information. The case manager would not need to keep a hard copy of the school record in the participant’s file.

DISCLAIMER

This policy is based on WDB’s interpretation of the statute, along with the Workforce Innovation and Opportunity Act, Final Rule released by the U.S. Department of Labor, and federal and state policies relating to WIOA implementation. This policy will be reviewed and updated based on any additional federal or state guidance.

REFERENCES

Law

- [Workforce Innovation and Opportunity Act of 2014 \(WIOA\)](#).

Federal Guidance

- [WIOA Labor Only Final Rule](#): 20 CFR Part 680-681
- Training and Employment Guidance Letter WIOA (TEGL) 22-04 – [Serving Military Spouses as Dislocated Workers Under the Workforce Investment Act Dislocated Worker Formula Grant](#)
- TEGL 05-08 – [Policy for Collection and Use of Workforce System Participants' Social Security Numbers](#)
- TEGL 10-09 – [Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor \(DOL\)](#)
- TEGL 11-11 and Changes 1 and 2 – [Selective Service Registration Requirements for Employment and Training Administration Funded Programs](#)
- TEGL 03-15 – [Operating Guidance for the WIOA](#)
- TEGL 19-16 – [Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act \(WIOA\) and the Wagner-Peyser Act Employment Services \(ES\)](#)
- TEGL 7-20 – [Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the Workforce Innovation and Opportunity Act \(WIOA\) Adult Program](#)
- TEGL 10-23 – [Reducing Administrative Barriers to Improve Customer Experience in Grant Programs Administered by the Employment and Training Administration](#)

State Guidance

- Workforce Service Directive (WSD) 08-14 – [Final Rule on Priority of Service for Veterans and Eligible Spouses](#)
- WSD13-11 – [CalJOBS Participant Reporting](#)
- WSD14-4 – [WIA Title I Eligibility](#)
- WSD15-14 – [WIOA Adult Program Priority of Service](#)
- WSD16-18 – [Selective Service Registration](#)
- EDD's [WIOA Title I Eligibility Technical Assistance Guide](#) (WSD TAG)

Approved by

Workforce Development Board of Solano County

**ELIGIBILITY CHECKLIST FOR
WIOA ADULT AND DISLOCATED WORKER PROGRAMS**

WIOA General Eligibility	
Requirement	Verified
Authorized to Work in the U.S.	<input type="checkbox"/>
Meets Military Selective Service Registration Requirements	<input type="checkbox"/>
Over the Age of 18	<input type="checkbox"/>

AND Complete Adult OR Dislocated Worker Table

WIOA Adult Priority of Service Populations	
First Priority	Verified
Veteran or Eligible Spouse AND	<input type="checkbox"/>
Low-Income, Recipients of Public Assistance, and/or Basic Skills Deficient	<input type="checkbox"/>
Second Priority	Verified
Low-Income, Recipients of Public Assistance, and/or Basic Skills Deficient	<input type="checkbox"/>
Third Priority	Verified
Veterans and Eligible Spouses who Does Not Meet "Second Priority" Conditions	<input type="checkbox"/>
Fourth Priority	Verified
State or local priority populations	<input type="checkbox"/>
Fifth Priority	Verified
Other Populations that Meet Basic WIOA Eligibility Requirements	<input type="checkbox"/>

WIOA Dislocated Worker	
Check One of the Following Categories	Verified
General Dislocation	<input type="checkbox"/>
Dislocation from Facility Closure	<input type="checkbox"/>
Self-Employed Dislocation	<input type="checkbox"/>
Displaced Homemaker	<input type="checkbox"/>
Dislocated / Separating Military Service Members	<input type="checkbox"/>
Dislocated Spouse of a Military Service Member	<input type="checkbox"/>

ALLOWABLE ELIGIBILITY AND DATA VERIFICATION SOURCES
WIOA Adult Programs

Note: Only the documentation sources included below are acceptable for establishing WIOA Title I eligibility. Eligibility verification is different than data element validation. Medical or disability information must be collected and stored separately.

Eligibility Criteria	References	Acceptable Documentation
General WIOA Eligibility		
Authorization to Work	<ul style="list-style-type: none"> • WIOA Section 188(a)(5) • EDD TAG 	<p>I-9 Form List A Documents:</p> <ul style="list-style-type: none"> • Employment Authorization Document with Photograph (Form I-766) • Foreign Passport and Form I-94 or I-94A with status endorsement and matching names • Foreign Passport with I-551 stamp or notation • Micronesia or Marshall Islands Passport with Form I-94 or I-94A indicating nonimmigrant admission • Permanent Resident Card or Alien Registration Receipt Card (Form I-551) • U.S. Passport or U.S. Passport Card <p>OR a Document from I-9 Form List B and C:</p> <ul style="list-style-type: none"> • List B Documents: <ul style="list-style-type: none"> ○ Driver’s License with photograph or identifying information ○ Federal, State, or Local Government ID with photograph or identifying information ○ Military Dependent’s ID Card ○ Native American Tribal Document ○ School ID card with photograph ○ Voter’s Registration Card ○ U.S. Military Card or Draft Record ○ U.S. Coast Guard Merchant Mariner Card • List C Document: <ul style="list-style-type: none"> ○ Certificate of Report of Birth issued by Department of State ○ Department of Homeland Security Employment Authorization Document ○ Native American Tribal Document ○ Original or Certified Copy of Birth Certificate Issued by a State, County, Municipal Authority or U.S. Territory with official seal ○ Resident Citizen ID Card

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
		<ul style="list-style-type: none"> ○ Social Security Account Number Card with no work restrictions ○ U.S. Citizen ID Card
<p>Birth Date/Age <i>(documentation must display individual's name and date of birth)</i></p>	<ul style="list-style-type: none"> ● 20 CFR 680.120, 681.210, & 681.220 ● EDD TAG 	<ul style="list-style-type: none"> ● Baptismal Record or Family Bible ● Birth Certificate (US or non-US issued) ● DD-214, Report of Transfer or Discharge Paper ● Driver's License ● Federal, State or Local Government Identification Card ● Hospital Record of Birth (US or non-US issued) ● Mexico Consular Identification Card (Matricula Consular) ● Passport (US or non-US issued) ● Public Assistance / Social Service Records ● School Records / Identification Card ● Tribal Records ● Work Permit
<p>Selective Service Registration <i>Required for male applicants</i></p>	<ul style="list-style-type: none"> ● WIOA Section 189(h) ● TEGL 11-11, Change 2 ● EDD TAG 	<ul style="list-style-type: none"> ● DD-214 ● Print-Out of the Selective Service Letter of Verification Site: https://sss.gov/verify ● Selective Service Telephone Verification: 1-847-688-6888 ● Registration Acknowledgement Letter or Card ● Selective Service Registration Record (Form 3A) ● Stamped Post Office Receipt of Registration
<p>Selective Service Exemption</p>	<ul style="list-style-type: none"> ● TEGL 11-11, Change 2 ● EDD TAG 	<ul style="list-style-type: none"> ● Date of Entry Stamp in Passport ● I-94 with Date of Entry Stamp ● Letter from U.S. Citizenship and Immigration Services (USCIS) with Date of Entry with Documentation of Age
<p>Social Security Number (SSN) <i>(WIOA staff should request a SSN from all applicants, but services cannot be denied to anyone refusing to provide their SSN when status can be documented via other means)</i></p>	<ul style="list-style-type: none"> ● TEGL 05-08 	<ul style="list-style-type: none"> ● Cross-match with UI Records ● DD-214, Report of Transfer or Discharge (if SSN is listed) ● Employment Records (if full SSN is listed) ● Federal or State ID (if full SSN is listed) ● IRS Form Letter 1722 ● Military Identification ● Passport ● Pay Stub (if full SSN is listed) ● Social Security Card ● W-2 Form

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
WIOA Adult Priority of Service Criteria		
<p>Basic Skills Deficiency <i>(academic or language literacy)</i></p>	<ul style="list-style-type: none"> • WIOA Section 3(5) • 20 CFR 664.205 & 681.290 • TEGL 22-15 • EDD TAG 	<ul style="list-style-type: none"> • National Reporting System (NRS) Approved Standardized Assessment Test Score (such as CASAS or TABE) • School Records, such as transcripts or other school documents • A Referral or Records from a Title II Basic Education Program or English Language Learner Program • Case Notes • Self-Attestation Statement for English Language Learner or Other Basic Skills Deficiency
<p>Low Income</p>	<ul style="list-style-type: none"> • WIOA Section 3(36) • TEGL 22-15 • EDD TAG 	<p><i>Recipient of SNAP / CalFresh:</i></p> <ul style="list-style-type: none"> • SNAP / CalFresh Eligibility Verification • Copy of Authorization to Receive SNAP / CalFresh • Documentation of SNAP / CalFresh Benefit Receipt • Referral Transmittal from SNAP / CalFresh <p><i>Recipient of TANF / CalWORKS:</i></p> <ul style="list-style-type: none"> • TANF / CalWORKS Eligibility Verification • TANF / CalWORKS Period of Benefit Receipt Verification • Referral Transmittal from TANF / CalWORKS <p><i>Recipient of SSI:</i></p> <ul style="list-style-type: none"> • SSI / SSDO Receipt of Benefits Verification • Referral Transmittal from SSA • SSI / SSDI Eligibility Verification <p><i>Recipient of Other State or Local Income-Based Public Assistance:</i></p> <ul style="list-style-type: none"> • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Medical Card Showing Case Grant Status • Public Assistance Eligibility Verification <p>OR</p> <p><i>Family Income Determination:</i> Refer to low-income section of policy for income sources to include and to not include in family income determination. Family size must be determined before making a family income determination.</p>

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
WIOA Dislocated Worker Eligibility Criteria		
Dislocated Spouse of a Military Service Member*	<ul style="list-style-type: none"> • TEGL 19-16, Attachment III • EDD TAG 	<ul style="list-style-type: none"> • Spouse’s Documentation Certifying a Service-Connected Death or Disability • Spouse’s Permanent Change of Station Orders • Self-Attestation or signed Individual Employment Plan may be used to satisfy “unemployed or underemployed and experiencing difficulty obtaining or upgrading employment” <p><i>* Dislocation date must be on the documentation</i></p>
Dislocated but Ineligible for UI Compensation	<ul style="list-style-type: none"> • EDD TAG 	<ul style="list-style-type: none"> • Pay Check Stubs • Self-Attestation Statement • Written Statement by Employer or Union Representative • UI Records - DE 429Z Notice of UI Award or DE 4581 Continued Claim Paper Form • W-2 and/or Tax Returns
Dislocation from Facility Closure*	<ul style="list-style-type: none"> • TEGL 19-16, Attachment III • EDD TAG 	<ul style="list-style-type: none"> • Bankruptcy Documents if under Chapter 7, Title 11 • WARN Notice • Media Announcement Describing Closure or Mass Layoff with Media Source Name and Date on Copy • Rapid Response List or Sign-In Sheet • Self-Attestation Statement • Verbal or Written Verification from Employer, Union Representative, or Employer’s Financial / Legal Representative. Must be documented in a case note that includes employer’s name, title, phone number, and date of dislocation. • Unemployment Insurance (UI) Form 501 Signed by Employer Representative <p><i>* Dislocation date must be on the documentation</i></p>
Displaced Homemaker	<ul style="list-style-type: none"> • WIOA Sec. 3(16) • TEGL 19-16, Attachment III • TEGL 22-15 • EDD TAG 	<ul style="list-style-type: none"> • Bank Records showing financial dependence on spouse, no separate individual income support, or no employment income earned • Court Records • Divorce Papers or Legal Separation • Notarized Statement from Family Member of Ex-Spouse on Non-Support • Public Assistance Records • Self-Attestation Statement • Spouse’s Death Record • Spouse’s Layoff Notice
Layoff or Notice of Layoff	<ul style="list-style-type: none"> • TEGL 19-16, Attachment III • EDD TAG 	<ul style="list-style-type: none"> • Case Notes Verifying Attendance of RESEA or PJSA • DD-214

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
		<ul style="list-style-type: none"> • DE 8406 Personalized Job Search Assistant (PJSA) Appointment Notice • DE 8530 Reemployment Services and Eligibility Assessment (RESEA) Appointment Notice • PJSA or RESEA CalJOBS activities entered by staff • Screen Print or Photocopy of Media Article Describing Layoff (printout must show name and date of publication) • Self-Attestation Statement • Verbal or Written Verification from Employer, Union Representative, or Employer’s Financial / Legal Representative. Must be documented in a case note that includes employer’s name, title, phone number, and date of dislocation. • WARN Notice <p><i>* Dislocation date must be on the documentation</i></p>
Self-Employment Dislocation*	<ul style="list-style-type: none"> • TEGL 19-16, Attachment III • EDD TAG 	<ul style="list-style-type: none"> • Bankruptcy Documents Listing Business and Applicant’s Name • Business License • Completed Federal Income Tax Return (Schedule SE) for Most Recent Tax Year • Copy of Articles of Incorporation for the Business Listing Applicant as Principal • Self-Attestation Statement <p><i>* Dislocation date must be on the documentation</i></p>
Unemployment Compensation Eligibility or Exhaustion	<ul style="list-style-type: none"> • EDD TAG 	<ul style="list-style-type: none"> • DE 4292 Notice of UI Award • DE 8406 PJSA Appointment Notice • DE 8530 RESEA Appointment Notice • Notice or Referral to RESEA • Statement by an UI Representative • UI Records - DE 1180PH Claim Status and Payment History form, DE 4581 Continued Claim Form, Copy of UI Online Payment Information, Telephone Verification through EDD Tele-Cert
Unlikely to Return to Previous Industry or Occupation	<ul style="list-style-type: none"> • EDD TAG 	<ul style="list-style-type: none"> • Case Notes Verifying Attendance of RESEA • Current Labor Market Information (LMI) Showing Industry and/or Occupation is in Decline • DD-214 • DE 8530 RESEA Appointment Notice • Employment Specialist’s Determination • Referral to RESEA • Screen print from Internet Site (such as CalJOBS, State LMI Division, or WDB LMI software) that indicates lack of Industry/Occupation Availability

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
		<ul style="list-style-type: none"> • Self-Attestation Statement • Doctor or Vocational Rehabilitation Counselor Statement Indicating Applicant’s Inability to Return to Previous Industry/Occupation due to Physical Limitations • Supplemental Job Displacement Benefit (SJDB) Voucher, issued by Division of Worker’s Compensation for state-approved education retraining or skills enhancement
Other Eligibility and Enrollment Data Elements		
Disability	<ul style="list-style-type: none"> • 20 CFR 681.280 • TEGL 21-16 • EDD TAG 	<ul style="list-style-type: none"> • Assessment Test Results • Medical Records or Physician’s (or other Licensed Clinical Professional) Diagnosis / Note • School Records or Letter Stating Disability • Self-Attestation Applicant Statement • Social Security Administration Disability Records • Social Service Records / Referral • Veterans Administration Letter / Records
Employment Status at Time of Participation	<ul style="list-style-type: none"> • TEGL 22-15 	<ul style="list-style-type: none"> • Case Notes Showing Information Collected from Participant • Pay Stub
Justice-Involved <i>(defined by WIOA as offenders)</i>	<ul style="list-style-type: none"> • WIOA Section 3(38) • 20 CFR 688.120 • TEGL 22-15 • EDD TAG 	<ul style="list-style-type: none"> • Documentation from Juvenile or Adult Criminal Justice System (including from Educational Partner within the Juvenile or Adult Criminal Justice System) • Case Noted Phone Call, Written Statement, or Referral Document from Court or Probation Representatives • Referral Transmittal from a Reintegration Agency • Self-Attestation Statement • Signed WIOA Intake, Application, or Registration Form
Unhoused (or Homeless) Individual	<ul style="list-style-type: none"> • TEGL 22-15 • WIOA Section 3(24)(G) • EDD TAG 	<ul style="list-style-type: none"> • Letter from Case Worker of Support Provider • Self-Attestation Statement • Statement or Referral from Shelter or Social Service Agency • Signed WIOA Intake or Registration Form
Migrant and Seasonal Farmworker	<ul style="list-style-type: none"> • Locally determined 	<ul style="list-style-type: none"> • Agricultural Employment Documentation • Letter from California Human Development • Paycheck Stub
Single Parent	<ul style="list-style-type: none"> • Locally determined 	<ul style="list-style-type: none"> • Baptismal Record • Child Support Enforcement or Administration Records • Copy of Child’s Birth Certificate • Self-Attestation Applicant Statement • Temporary Cash Assistance (TCA) Approval Notice

ATTACHMENT B: Documentation Sources for WIOA Eligibility Data Elements

Eligibility Criteria	References	Acceptable Documentation
Substantial Cultural Barriers	<ul style="list-style-type: none"> Locally determined 	<ul style="list-style-type: none"> Self-Attestation Applicant Statement Signed WIOA Intake, Application, or Registration form
Veteran Status	<ul style="list-style-type: none"> TEGL 22-15 	<ul style="list-style-type: none"> Cross-Match with Veterans Data DD-214 Copy 4, "Veteran's Certificate of Release or Discharge from Active Duty" Letter from the Veterans' Administration Certifying Veteran Status
Without a High School Diploma	<ul style="list-style-type: none"> Locally determined 	<ul style="list-style-type: none"> Records from an Educational Institution (diploma, GED, transcripts, withdrawal letter, or school documentation) Self-Attestation Applicant Statement Signed WIOA Intake, Application, or Registration Form

DEFINITION OF KEY TERMS

Attachment to the Workforce – as defined in California Employment Development Department’s *WIOA Title I Eligibility Technical Assistance Guide* (EDD TAG) and locally-defined – an individual who has worked at least three consecutive months during the last 12 months.

Definition is used in order to verify dislocated workers who are not eligible for unemployment compensation, but who have been employed for a duration sufficient to demonstrate an attachment to the workforce. Verification of “attachment to the workforce” is only necessary when an applicant worked for an employer not covered under UI or has not worked a sufficient amount of time to qualify for UI. A separating service member who was discharged or release under condition other than dishonorable has demonstrated attachment to the workforce.

Barriers to Employment – as defined by WIOA Sec 3(24) – populations included in the “individuals with barriers to employment” include:

- Displaced homemakers
- Low-income individuals
- Indians, Alaska Natives, and Native Hawaiians,
- Individuals with disabilities
- Older individuals
- Ex-offenders
- Homeless individuals
- Youth who have aged out of the foster care system
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers,
- Eligible migrant and seasonal farmworkers
- Individuals within two years of exhausting lifetime TANF eligibility
- Single parents (including single pregnant women), and
- Long-term unemployed individuals

Basic Skills Deficient – as defined by WIOA Sect. 3(5) and WSD15-14 – with respect to an adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society. Criteria used to determine whether an individual is basic skills deficient includes the following:

- Enrolled in a Title II Basic Adult Education or English Language Learner program.
- English, reading, writing, or computing skills at an 8.9 or below grade level.
- Determined to be Limited English Skills proficient through staff-documented observations.

The WIOA and DOL regulations do not further define the “level necessary to function on the job, in the individual’s family, or in society.” As such, the WDB locally defines the level necessary to function on the job, in the individual’s family, or in society to include self-attested or assessed survival skills, including but not limited to, computer skills and

financial literacy skills. Employers often perceive that an individual who lacks a high school diploma or high school equivalency is not at the skill level necessary to function on the job; therefore, the WDB includes a lack of a high school diploma or high school equivalency as a deficiency in the level necessary to function on the job or in society.

Case Notes – as defined in EDD TAG – paper or electronic statements by the case manager that identify, at a minimum:

- A participant's status for a specific data element;
- The date on which the information was obtained; **and**
- The case manager who obtained the information.

If case notes are used as a documentation source, the case notes must provide a documented trail back to the source of information verified.

Cross Match – as defined by TEGL 22-15, Attachment A – a cross-match requires validators to find detailed supporting evidence for the data element in a database. An indicator or presence of a Social Security Number in a non-WIOA database is not sufficient evidence, validators must also find supporting information such as dates of participation and services rendered.

Disability – as defined by the American with Disabilities Act of 1990 Sect. 12192(1-3) – with respect to an individual, the term disability means:

- (A) A physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such an impairment where the individual established that he or she has been subjected to an action prohibited under the Americans with Disabilities Act of 1990 because of an actual or perceived physical or mental impairment whether the impairment limits or is perceived to limit a major life activity. Major life activities include but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. The term disability shall not apply to impairments that are transitory and minor. A transitory impairment is impairment with an actual or expected duration of 6 months or less.

Displaced Homemaker – as defined by WIOA Sect. 3(16) – an individual who has been providing unpaid services to family members in the home and who:

- (A) Either
 - a. has been dependent on the income of another family member but is no longer supported by that income; or
 - b. is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) and whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of

law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; **and**

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

Eligible Spouse of a Veteran – as defined in 38 U.S.C. 4215(a) and TEGL 10-09 – an eligible spouse of purposes of job counseling, training, and placement services for veterans pursuant to Title 38, Chapter 41 of the United States Code means the spouse of any of the following:

- (A) any veteran who died of a service-connected disability,
- (B) any member of the Armed Forces serving on active duty who, at the time of application for WIOA assistance is listed for a total of more than ninety days:
 - i. missing in action,
 - ii. captured in the line of duty by a hostile force, or
 - iii. forcible detained or interned in the line of duty by a foreign government or power,
- (C) any veteran who has a total disability permanent resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs, or
- (D) any veteran who died while a disability so evaluated was in existence.

The spouse whose eligibility is derived from a living veteran or service member (i.e., categories b or c above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member. The definition of spouse includes same-sex spouses.

Employed – as defined in TEGL 10-16, Change 2, Attachment I – is an individual who did any work at all as a paid, unsubsidized employee on the date participation occurs; OR worked 15 hours or more in an unpaid job on a farm or business operated by a family member.

English Language Learner – as defined by WIOA Sect. 3(21) and WIOA Sect 203(6) – an individual who has limited ability in reading, writing, speaking, or comprehending the English language, and:

- (A) Whose native language is a language other than English; or
- (B) Who lives in a family or community environment where a language other than English is the dominant language.

Family – as defined in EDD TAG – for the purposes of WIOA eligibility, a family is two or more persons related by blood, marriage (including same-sex marriage) or decree of court, who are living in a single residence.

General Economic Conditions – as defined locally – for the purposes of defining self-employed dislocation due to general economic conditions, general economic conditions is defined as economic hardships such as increasing inflation, high unemployment rates, high mortgage rates, decreased consumer demand, or negative impacts to the economy due to declarations of emergency.

Indians, Native Alaskans, and Hawaiians – as defined in WIOA Sec 166(b) – includes:

- Indian as defined in 25 USC 450b means a person who is a member of an Indian tribe, which means any Indian tribe, band, nation, or other organized group recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians
- Alaska Native as defined by 43 USC 1602(b) (r) includes a citizen of the United States who is a person of one-fourth degree or more Alaskan Indian Eskimo or Aleut blood, or combination thereof or any lineal descendant of a Native.
- Native Hawaiian as defined in 20 USC 7517 (2) means any individual who is a citizen of the United States who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the state of Hawaii as shown by genealogical records, Kupuna or Kamaaina verification, or certified birth records.

Individual with a Disability as defined in the Americans with Disabilities Act Sect. 12012 (1) and in WIOA Sect. 3(25) is an individual with

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment (as described in the Americans with Disabilities Act § 12102 (3))

Justice-Involved Individual (defined in WIOA as Offender) – As defined by WIOA Section 3(39) – an adult or juvenile

- (A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or
- (B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction for committing delinquent acts, such as crimes against persons, crimes against property, statue offences, or other crimes.

Long-term Unemployed - as defined in the Federal Register 2015-007 PIRL – an individual who has been unemployed for 27 or more consecutive weeks.

Low-income Individual as defined by WIOA Sec. 3(36) means an individual who:

- receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received

- assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
- the program of block grants to States for Temporary Assistance for Needy Families program (TANF) under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.),
- the Supplemental Security Income program (SSI) established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or
- State or local income-based public assistance;
- is in a family with total family income that does not exceed the higher of
 - the poverty line; or
 - 70% of the lower living standard income level (LLSIL);
- is an unhoused (also called homeless) individual; or
- is an individual with a disability whose own income meets the income requirement of clause, but who is a member of a family whose income does not meet this requirement.

Low Levels of Literacy – as defined in the Federal Register 2015-007 PIRL – when a participant is unable to read, write, and speak in English; compute and solve problems at levels of proficiency necessary to function on the job, in the family of the participant, or in society.

Lower Living Standard Income Level (LLSIL) – the income level (adjusted for regional, metropolitan, urban, and rural differences and family size), determined annually by the U.S. Department of Labor based upon the most recent lower living family budget, published annually in the Federal Register.

Non-Custodial Parent – as defined by 45 CFR 260.30 – a parent of a minor child how:

- lives in the state; and
- does not live in the same household as the minor child.

Older Individual – as defined in WIOA Sect. 3(39) – an individual age 55 or older.

Public Assistance Recipient – as defined in WIOA Sect. 3(50) – an individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

Recently Separated Veteran – as defined in WIOA Sect. 3(63) – any veteran who applies for participation in WIOA within 48 months after discharge or release from active military, naval, or air service.

Self-Attestation – as defined in EDD TAG – also referred to as a participant statement or self-certification – occurs when an individual states his or her status for a particular data element and then signs and dates a form acknowledging this status. Self-attestation must include a statement that the information submitted to demonstrate eligibility for a program under Title I of WIOA is true and accurate.

Self-Sufficiency – as defined locally and in EDD TAG – for WIOA eligibility purposes, self-sufficiency means employment that pays at the levels defined in the [Living Wage Calculator](#) for Solano County, CA.

Single Parent – as defined in EDD TAG – includes single parents, single pregnant individuals, or non-custodial parents.

State MIS – as defined in TEGL 22-15, Attachment A – refers to specific, detailed information that is stored in the state’s information system that supports an element. An indicator, such as a checkmark on a computer screen, is not acceptable source documentation in and of itself. For example, State MIS is an acceptable source of documentation for date of training service, but should have information about the type of training and the organization providing that training.

Substantial Cultural Barriers – as defined by the Federal Register 2015-007 Participant Individual Record Layout (PIRL) – barriers that exist when a participant perceives him or herself as possessing attitudes, beliefs, customs or practices that influence a way of thinking, acting or working that may serve as a hindrance to employment.

Underemployed – as defined in 20 C.F.R. Sect. 668.150 and TEGL 03-15 – an individual who is:

- employed less than full-time who desires full time employment,
- working in employment not commensurate with the individual’s demonstrated level of educational and/or skill achievement,
- employed who meets the definition of a low-income individual under WIOA, **or**
- employed but whose current job’s earnings are less than 80% of their previous job earnings.

Unemployed – as defined in WIOA Sect. 3(61) – an individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job, shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining individuals as unemployed.

Unhoused (defined in WIOA as Homeless) **Individual** – as defined in sec. 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)),

(A) means an individual who lacks a fixed, regular, and adequate nighttime residence; and

(B) Includes –

a. an individual who—

- i. is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- ii. is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
- iii. is living in an emergency or transitional shelter;

- iv. is abandoned in a hospital; or
- v. is awaiting foster care placement;
- b. an individual who has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; or
- c. migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965; 20 U.S.C. 6399) who qualify as homeless under this section because the children are living in circumstances described in this paragraph;

“Unlikely to return to previous industry or occupation” – as defined locally – a dislocated worker who was laid off from a position and meets at least one (1) of the requirements below, as documented by self-attestation:

- Number of opportunities in previous industry/occupation is declining based on labor market information;
- Supply of candidates in previous industry/occupation exceeds the number of opportunities in the county;
- Projected annual employment increase for industry or occupation is less than 100 jobs;
- The individual has engaged in an unsuccessful job search in their previous industry/occupation for over 3 months;
- Individual can no longer meet the minimum requirements for positions available in their occupation;
- Lacks skills or certification needed to compete in the open job market for that same occupation or industry
- Change in family, personal, or financial circumstances that affect the individual’s likelihood of returning to previous occupation or industry;
- Job loss due to mechanization or automation of job duties;
- Wage variable for positions no longer matches with individual’s level of skills and experience; and/or
- Individual is unable to perform the duties of the previous industry/occupation due to age, ability, illness/injury, disability, or other barriers.

Veteran – as defined in WIOA Sect. 3(63), 38 U.S.C. Sect. 101, and TEGL 10-09 – an individual who served as least one day in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time federal service in the National Guard or a Reserve component. This definition of “active service” does not include full-time duty performed strictly for training purposes (i.e., that which is often referred to as “weekend” or “annual” training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than by federal authorities.



WORKFORCE DEVELOPMENT BOARD
OF SOLANO COUNTY

POLICY ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING FOR:

WIOA Adult and Dislocated Worker Enrollment and Eligibility Policy

The *WIOA Adult and Dislocated Worker Enrollment and Eligibility Policy* explains the responsibilities of any individual funded by the Workforce Development Board (WDB) of Solano County's Workforce Innovation and Opportunity Act (WIOA) programs.

By signing below, I confirm that I have received the *WIOA Adult and Dislocated Worker Enrollment and Eligibility Policy*. I understand that if I am funded by WIOA Adult or Dislocated Worker funds, it is my responsibility to read and comply with the information contained in this policy and any revisions made to it.

Since the information and policies described in the policy are necessarily subject to change, I acknowledge that revisions to the policy may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.

I understand that federal, state, and local auditors / monitors may verify that WIOA-funded staff understand and implement enrollment and eligibility requirements per this policy.

I understand that I should consult with my supervisor or WDB program contact if I have any questions about the information contained in the policy. I understand that failure to comply with the information contained in the policy could lead to disciplinary action or termination of employment or contract.

Individual's Name (printed): _____

Organization: _____

Individual's Signature: _____ **Date:** _____