



RIVERSIDE COUNTY
WORKFORCE DEVELOPMENT BOARD

TITLE IB PROGRAM ELIGIBILITY
(ADULT AND DISLOCATED WORKER)
POLICY

Date: August 25, 2016

Number: 19-16

PURPOSE: The Riverside County Workforce Development Board (WDB) establishes this policy to provide eligibility determination guidance for the Workforce Innovation and Opportunity Act (WIOA) Title IB Adult and Dislocated Worker Programs.

EFFECTIVE DATE: Upon Release

REFERENCES: WIOA Section [134\(b\)](#) & [134\(d\)\(4\)](#)
Title 20 CFR [663.110](#), [663.115](#), [663.220](#), [663.310](#)
[Workforce Investment Act Directive WIAD04-18](#)
[Workforce Services Directive WSD09-18](#)
[Employment Development Department \(EDD\) WIA Eligibility TAG, PY 2004-05](#)

LOCALLY IMPOSED REQUIREMENTS: Locally imposed requirements are indicated in ***bold, italic*** type.

BACKGROUND: The Local Workforce Development Areas (LWDAs) are required to develop policies, procedures, interpretations, guidance and definitions related to eligibility, to ensure that federal and State requirements are consistently interpreted and applied by front line staff. LWDAs are also responsible for ensuring that adequate documentation of the eligibility and need for services are contained in participant case files.

It shall be noted not all of the same program restrictions that exist for WIOA formula funds may bind the Workforce Innovation and Opportunity Act 15 Percent project or Discretionary projects. Discretionary projects are not required to give priority of service to low-income adults.

POLICY:
Adults and dislocated workers who request staff-assisted services funded under Title IB of the WIOA other than self-service and informational activities must be determined eligible and are enrolled at the time these services are provided.

I. General Program Eligibility Requirements

In order to receive staff-assisted services as an adult or dislocated worker under Title IB of the Workforce Innovation and Opportunity Act (WIOA), the following general program eligibility criteria must be met:

- Must be 18 years of age or older; and
- Must meet right-to-work requirements; and
- Must meet Selective Service requirements (males)
- Must be income eligible (Adults)

II. Additional Eligibility Criteria for Dislocated Workers

In addition to complying with general program eligibility requirements, an individual must meet any one of the following criteria to be eligible to receive dislocated worker services under Title IB of the WIA.

Category 1: Laid Off/Terminated

- Individual has been terminated or laid off, or has received a notice of termination or layoff from employment. *Individuals who are offered, in writing, the option of early retirement instead of layoff and who plan to seek new employment still meet the definition of layoff; AND*
- Is eligible for or has exhausted entitlement to unemployment insurance (UI) benefits; or has been employed for at least 3 consecutive months out of a twelve month period, but is not eligible for UI due to insufficient earnings or having performed services for an employer that were not covered under the state unemployment compensation law; **AND**
- ***Is unlikely to return to a previous industry or occupation for at least one of the following reasons:***
 - ***Current economic downturn when the county's unemployment rate is 7% or higher***
 - ***Worked in a declining industry/occupation***
 - ***Has had a lack of job offers in the prior occupation/industry***
 - ***Is insufficiently educated and/or does not have the necessary skills for reentry into the previous industry/occupation***
 - ***Unable to perform duties in the previous occupation/industry due to physical limitations or other problems.***
 - ***Initial Assistance Workshop (IAW), or Personalized Job Search Assistance (PJSA), or Reemployment Services and Eligibility Assessment (RESEA) appointment notice or screen printout***

Category 2: Terminated or Laid Off

- Individual has been terminated or laid off, or has received notice of termination or layoff, **and** has been employed for a sufficient duration to demonstrate workforce attachment (at least 3 consecutive months out of a twelve month period), but is not eligible for UI due to insufficient earnings or having performed services for an employer that were not covered under the state unemployment compensation law **and** is unlikely to return to previous industry or occupation

Category 3: Plant Closure/Substantial Layoff

- Individual 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.

Category 4: General Announcement of Closure

- Individual is employed at a facility at which the employer has made a general announcement that the facility will close within 180 days. Eligible dislocated workers may begin receiving services 180 days prior to the scheduled closure date.

Category 5: Self-Employed

- Individual who was self-employed (including employment as a farmer, rancher, or fisherman) but is unemployed as a result of the county's unemployment rate being 7% or higher (i.e., general economic conditions in the community in which the individual resides) or because of natural disasters.

Category 6: Displaced Homemaker

- Individual has been providing unpaid services to family members in the home 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 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.

NOTE: *An individual who has been dependent upon government cash assistance, but is no longer eligible for the assistance is **not** considered a displaced homemaker under the Dislocated Worker Program. This individual would have to be considered for services under the Adult Program only.*

Category 7: Spouse of Member of Armed Services

- 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.

Category 8: Spouse of Member of Armed Services

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

NOTE: *The individual is an eligible dislocated worker (meets the general WIOA eligibility criteria and one of the first five criteria listed above) who since dislocation and prior to application has not been employed in a job that paid a wage defined by the local board as:*

- *a self-sufficient dislocated worker wage; **or***
- *leading to self-sufficiency; **or***
- *providing more than stopgap employment.*

III. Eligibility For Career Services

Adults and dislocated workers who may receive Career Services:

- (a) Adults and dislocated workers who are

- Unemployed, and
 - After assessment are determined by staff to be in need of Career Services to obtain employment.
- (b) Adults and dislocated workers who are
- Employed, and
 - After an assessment are determined by Staff to be in need of Career Services to obtain or retain employment that leads to [self-sufficiency](#).
- (c) Individuals who are determined eligible in accordance with the [local Priority of Service policy 19-03](#).
- (d) Select a program of training services that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate;
- (e) Are unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as Welfare-to-Work, State-funded training funds, Trade Adjustment Assistance and Federal Pell Grants established under *Title IV of the Higher Education Act of 1965*, or require WIOA assistance in addition to other sources of grant assistance, including Federal Pell Grants.

Additionally, before expending WIOA resources on training services for employed adults, Staff must determine that the participant is in need of training services to obtain or retain employment that leads to [self-sufficiency](#).

IV. Verification and Documentation Requirements for Client Eligibility

All information that supports an applicant's eligibility, including the birth date, right-to-work, and selective service requirements must be verified and hard or scanned electronic copies must be retained and made available for subsequent review in a participant's case file. Staff is responsible for ensuring adequate documentation is contained in their participant case files.

In addition, when applicable, the following data elements must also be verified and hard or scanned electronic copies must be retained and made available for subsequent review in a participant's case file:

- Income Eligibility
- Veterans Status
- Dislocated Worker Eligibility

PROCEDURES:

Refer to Knowledge Management on the [WDC/Partner Intranet](#) site for procedures related to this policy.

REVISION HISTORY:

Revision Dates: 8/25/16, 04/26/10, 03/03/10, 06/09/09, 07/10/08
Original Policy Date: 01/05/06

Loren Sims, Administration Manager