



RIVERSIDE COUNTY
WORKFORCE INVESTMENT BOARD

**TITLE IB PROGRAM ELIGIBILITY
(ADULT AND DISLOCATED WORKER)
*POLICY***

Date: August 2, 2010

Number: 19-16

PURPOSE: The Riverside County Workforce Investment Board (WIB) establishes this policy to provide eligibility determination guidance for the Workforce Investment Act (WIA) Title IB Adult and Dislocated Worker Programs.

EFFECTIVE DATE: March 3, 2010

REFERENCES: WIA Section [101\(9\)-\(10\)](#), [134\(b\)](#), [134\(d\)\(2\)](#), [134\(d\)\(3\)](#), [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 Investment Areas (LWIAs) 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. LWIAs 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 WIA formula funds may bind the Workforce Investment Act 15 Percent project or Discretionary projects. Discretionary projects are not required to give priority of service to low-income adults or provide core and intensive services prior to training.

POLICY:
Adults and dislocated workers who request staff-assisted services funded under Title IB of the WIA 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 core services, intensive and/or training services as an adult or dislocated worker under Title IB of the Workforce Investment Act (WIA), 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).

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, 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.***
 - ***Family, personal or financial circumstances that affect an individual's ability to return to the prior industry/occupation.***

Category 2: 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; **OR**
- ***Individual is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days. Eligible dislocated workers may begin receiving services 180 days prior to the scheduled closure date.***

Category 3: Plant Closure without Specified Date

- Is employed at a facility at which the employer has made a general announcement that the facility will close without a specified date or the closure date is beyond 180 days. Individuals may receive staff-assisted core services only (Core B). These individuals are not eligible for intensive, training, or support services.

Category 4: Self-Employed

- Individual who was self-employed (including employment as a farmer, rancher, or a 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 5: 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. 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; **AND**
- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Category 6: Voluntarily Terminated Employment

- Individual has voluntarily terminated employment; **AND**
- Is receiving, is eligible for, or has exhausted entitlement to unemployment insurance (UI) benefits; **AND**
- ***Is unlikely to return to a previous industry or occupation for at least one of the reasons listed under Category 1.***

III. Eligibility For Intensive Services

Adults and dislocated workers (excluding Category 3) who may receive intensive services:

- (a) Adults and dislocated workers who are
 - Unemployed,
 - Have received at least one core service and are unable to obtain employment through core services, and
 - Are determined by Staff to be in need of more intensive services to obtain employment.
- (b) Adults and dislocated workers who are
 - Employed,
 - Have received at least one core service, and
 - Are determined by Staff to be in need of intensive 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](#).

IV. Eligibility For Training Services

Training services may be made available to employed and unemployed adults and dislocated workers (excluding Category 3) who:

- (a) Have met the eligibility requirements for intensive services, have received at least one intensive service, and have been determined to be unable to obtain or retain employment through such services;
- (b) After an interview, evaluation, or assessment, and case management, have been determined by Staff, to be in need of training services and to have the skills and qualifications to successfully complete the selected training program;
- (c) 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;
- (d) 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 WIA assistance in addition to other sources of grant assistance, including Federal Pell Grants; and
- (e) Are determined eligible in accordance with the [local Priority of Service policy](#).

Additionally, before expending WIA 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](#).

V. 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: 04/26/10, 03/03/10, 06/09/09, 07/10/08
Original Policy Date: 01/05/06

/s/ Melissa Reid

Melissa Reid, Program Development Manager