I. Core services that are self-service or informational in nature are universally available to all adults and dislocated workers without regard to eligibility requirements contained herein.

II. Registration and Eligibility Determination:

A. All individuals receiving WIA funded staff assisted core, intensive, or training services under title IB must be registered and determined eligible. This information may be collected by using any of the following methods: [§663.105(a)(b)]
   1. Electronic data transfer;
   2. Personal interview; or
   3. Individual’s application.

B. All information required by federal, state, and local reporting requirements must be collected for each individual receiving services other than core self-service or informational services, including documentation of each eligibility requirement for the types of service that the individual has received. Acceptable documentation for specific eligibility requirements are outlined in the tables on pages 5, 6, and 7 of this policy and copies must be stored in the clients file.

C. Equal opportunity data must be collected on individuals during the registration process. [§663.105(c)]

III. Eligibility Requirements for Dislocated Worker Services:

A. To be eligible for dislocated worker intensive and training services, an individual must, in addition to meeting the eligibility requirements for staff assisted core, intensive, or training services as defined in Sections VI, VII, and VIII of this policy, meet one or more of the following eligibility requirements: [WIA Section 101(9), §663.115, §663.200 and §663.310]
   1. An individual who:
      a. Has been terminated or laid off, or has received a notice of termination or layoff, from employment;
      b. Is eligible for or has exhausted entitlement to unemployment compensation, or has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a state unemployment compensation law; and
c. Is unlikely to return to their previous industry or occupation

2. Or an individual who:
   a. 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;
   b. Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.

3. The individual is a displaced homemaker under the following eligibility criteria: [§663.120, Section 101(10)]
   a. Has been providing unpaid services to family members in the home; and
   b. Has been dependent on the income of another family member but is no longer supported by that income; and
   c. Is unemployed or underemployed and is experiencing difficulty upgrading or obtaining employment.

4. The individual is self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of:
   a. Natural disasters; or
   b. General economic conditions in the community in which the individual resides.

C. LWIBs may establish additional policies and procedures for determining an individual’s eligibility as a dislocated worker to include what constitutes a general announcement of a plant closing.

IV. Eligibility Requirements for Adults:

To be eligible for adult intensive and training services an individual must be 18 years of age or over and must meet the eligibility requirements for staff assisted core, intensive, and training services as defined in Sections VI, VII, and VIII of this policy. (§663.110, §663.200, and §663.220) In addition, they must meet the eligibility criteria for priority of services as outlined in WIA State Compliance Policy 1.7.

V. Eligibility for Veterans and Military Service Returnees:

A. Returning military service members (non-retiree) and military spouses may also be eligible for dislocated worker or adult services providing they meet the eligibility criteria for WIA Formula Grant Programs and as clarified in TEGL 22-04 Change 1.

WIA regulations (20 CFR 667.255) state in accordance with 37 U.S. Code Part 4213, income related to those who served on active duty must be disregarded when determining low income eligibility. The following Chapters of Title 38 U.S.C. 4213 also exempt from inclusion in low income calculation determinations:

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

Also excluded from low income calculations are benefits received under Chapter 106 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 a disability, are not exempt and are to be included in low income calculations for eligibility.

As clarified in TEGL 22-04, the term terminated is not defined in law or regulation. It is a Department of Labor policy that being discharged (under honorable circumstances) either voluntarily or involuntarily terminates an employment relationship between an individual and the military and thus falls within the scope of the termination component of the WIA definition of dislocated worker. The separating military personnel must also satisfy all other criteria for dislocated workers’ eligibility, including the requirement that the individual is unlikely to return to a previous industry or occupation.

An eligible military spouse who leaves his/her job to follow his/her spouse can be served with dislocated worker formula grant funds when the spouse is unable to continue an employment relationship because the service member’s permanent change of military station, or the military spouse loses employment as a result of the spouse’s discharge from the military, then the cessation of employment can be considered to meet the termination component of the WIA definition of dislocated worker. The military spouse must also satisfy all other criteria for dislocated worker eligibility, including the requirement that the spouse is unlikely to return to a previous industry or occupation. Additionally, a military spouse may also qualify to be served as a dislocated worker if he/she meets the definition requirements for a displaced homemaker.

Surviving spouses of veterans and military service members may also be served with WIA dislocated worker or displaced homemaker funding after having met the criteria. If a surviving spouse does not meet the requirements, he/she could be served under the WIA Adult Formula Program. In either program, a surviving spouse of a veteran may receive priority of service if he/she qualifies for such priority under the Jobs for Veterans Act (P.L. 107-228(38 USC 4215 (a)(1)(B)).

WIA program operators may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIA funded training.
Definitions:
Veteran- an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable, which may include National Guard or Reserve personnel.
Military Spouse- an individual who is married to an active duty service member including National Guard or Reserve personnel on active duty. The surviving spouse of an active duty service member who lost his/her life while on active duty service in Afghanistan, Iraq, or other combat-related areas is considered to be a military spouse. A military spouse who leaves his/her job to follow his/her spouse, who is unable to continue an employment relationship because of the service member’s permanent change of military station, or the military spouse loses employment as a result of the spouse’s discharge from the military, the military spouse can be served, assuming he/she meets the other eligibility criteria for dislocated worker.

B. Eligibility for Priority of Service.
Veterans and eligible spouses, including widows and widowers as defined in the statute and regulations, are eligible for priority of service and as such, must be identified at any point of entry and made aware of: 1) their entitlement to priority of services 2) the full array of employment, training, and placement services available under priority of services 3) any applicable eligibility requirements for those programs and/or services. As clarified in TEGL 10-09 it is important to note that veterans and eligible spouse must first meet any and all of the statutory eligibility criteria in order to be enrolled in WIA Formula Programs.

1. Veteran: For the purposes of implementing priority of service, the Final Rule requires that program operators use the broad definition of veteran found in 38 U.S.C. 101(2). Under this definition, the term “veteran” means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). 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 often is 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 Federal authorities (State mobilizations usually occur in response to events such as natural disasters). If they are established as eligible for dislocated services and they meet the definitions of veteran or military spouse, they should receive priority of services, according to the Job for Veterans Act (PL 107-288), over non-veterans.

2. An “Eligible Spouse” as defined at section 2(a) of the JVA (38 U.S.C. 4215[a]) 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 the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
   i.  Missing in action;
   ii. Captured in the line of duty by a hostile force; or
   iii. Forcibly detained or interned in the line of duty by a foreign government or power;

c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or

d. Any veteran who died while a disability was in existence. A 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.

d. Additionally, the State of Nevada offers priority of service to the spouse of any Veteran defined in section V.B.1 above as long as said spouse meets the program eligibility for any WIA Core, Intensive and Training service.

VI. Eligibility Requirements for Core Services:

A. Individuals who receive core services, which require a significant amount of staff involvement in terms of resources or time, and which are designed to impart job seeking and/or occupational skills, must be registered and determined eligible. For services to be provided to a WIA eligible client, registration must be completed prior to additional services being provided through WIA resources. Specific core services that require the individual to be determined eligible for services include, but are not limited to: §663.105(b)
   1. Staff assisted job search and placement including career counseling.
   2. Staff assisted job referral (such as testing and background checks).
   3. Staff assisted job development (working with employer and job seeker).
   4. Staff assisted workshops and job clubs.

B. Individuals that receive one or more of the core services in A. above must:
   1. For adult services, be 18 years of age or over (§663.110), or
   2. For dislocated worker services, meet the eligibility criteria in section III of this policy; [§663.115 and WIA Section 101(9)]
   3. Comply with Selective Service legislation by providing documents to demonstrate compliance with Selective Service requirements [TEGL 11-11 and TEGL 11-11 Change 1 and 2];
   4. Comply with citizenship and eligibility to work requirements by providing documents necessary to validate the same (State requirement) and
   5. Social Security Number (TEGL 5-08 and 17-05):
a. LWIB service providers must request a participant’s social security number when offering staff assisted core services and training and education services. Service must not be denied to any participant who refuses to provide a social security number.

b. When requesting a participant’s social security number, service provider staff should explain that social security numbers are only used for the calculation of employment related performance measures outcomes.

c. If a participant refuses to provide a social security number, participant will be excluded from employment related performance measures outcomes.

d. States are required, consistent with state law, to use quarterly wage record information in measuring the progress against state and local performance measures. (20 CFR §666.150) State must use social security numbers to match a program participant’s records with that individual’s quarterly wage record information to assess the impact of program services.

VII. Eligibility Requirements for Intensive Services:

A. To be eligible for intensive services, individuals must, in addition to meeting the requirements of paragraph VI.B. above, meet one of the two eligibility categories: (§663.220)

1. Be unemployed, and
   a. Have received at least one core service and have been unable to obtain employment through core services; and
   b. Must be determined to be in need of intensive services in order to obtain employment; or

2. Be currently employed, and
   a. Have received at least one core service; and
   b. Must be determined to be in need of intensive services in order to obtain employment or retain employment according to the criteria for self-sufficiency determined by LWIB. This criteria must, at a minimum, define self-sufficiency as employment that pays at least the lower living standard income level according to the most recent definition published by the Department of Labor or may be defined in relationship to a percentage of the layoff wage for a dislocated worker. [Section 101(24), §663.230]

3. LWIBs may adopt additional criteria for intensive services.

VIII. Eligibility Requirements for Training Services:

A. To be eligible for training services, employed or unemployed individuals must: [§663.310 and WIA Section 134(d)(4)]

1. Have met the eligibility requirements for intensive services;

2. Have received at least one intensive service, and have been determined by the case manager to be unable to obtain or retain employment through such services;

3. After an interview, evaluation or assessment, and case management services, have been determined and documented by a One-Stop Operator or Partner to
be in need of training services and to have the skills and qualifications necessary to successfully complete the selected training program; [
\[\text{§663.310(b)}\]
4. 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;
5. Initially, make every reasonable effort to obtain grant assistance from other sources to pay the costs of training, including, but not limited to, Welfare to Work, state funded training, Trade Adjustment Assistance (TAA), Federal Pell Grants established under Title IV of the Higher Education Act of 1965, but they may also need WIA assistance in addition to other sources of grant assistance (refer to WIA State Compliance Policy 1.10). [\[\text{§663.320(b)(c)}\]]

IX. Eligibility Requirements for Supportive Services and Needs-Related Payments:

A. Supportive services may only be provided to adults and dislocated workers when they are: [\[\text{§663.805 and WIA Sections 101(46) and 134(e)(2&3)}\]]
   1. Participating in staff assisted core, intensive, or training services and are unable to obtain supportive services through other programs providing such services; or
   2. When supportive services are necessary to enable individuals to participate in title I, Workforce Investment Systems activities.

B. Needs-related payments may be made only to adults who are: [\[\text{§663.820 and WIA Section 134(e)(3)}\]]
   1. Unemployed and do not qualify for or have ceased qualifying for unemployment compensation;
   2. Enrolled in training program services authorized by WIA.

C. Needs-related payments may be made to dislocated workers who are: (\[\text{§663.825}\])
   1. Unemployed and do not qualify for unemployment compensation or trade readjustment assistance under TAA or NAFTA-TAA, and they are;
   2. Enrolled in WIA training program services by the end of the 13th week after the most recent layoff that resulted in a determination of their eligibility as a dislocated worker; [\[\text{Section 134(d)(4)}\]] or
      a. If later than the 13th week, by the end of the 8th week after the worker is informed that a short-term layoff will exceed 6 months; or
      b. Be unemployed and did not qualify for unemployment compensation or trade readjustment assistance under TAA or NAFTA-TAA.
X. Acceptable Documentation:

<table>
<thead>
<tr>
<th>Eligibility Criteria</th>
<th>Acceptable Documentation (for electronic registration, all documentation subject to verification)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intensive Services</strong> (Adult and Dislocated Worker Services)</td>
<td></td>
</tr>
</tbody>
</table>
| A. Citizen/eligible to work | 1. Birth certificate  
2. Alien registration card [Most common forms I-551, and I-94]  
3. US Passport  
4. Authorized to work in the US form  
5. Public assistance records, |
| B. Social Security Number | 1. Social Security card  
2. Pay stub  
3. US Passport |
| C. Selective Service | 1. Selective Services registration card  
2. Acknowledgement letter  
3. Written documentation addressing knowing and willfulness for failure |
| D. Birth Date/Age | 1. Birth certificate  
2. Driver’s license  
3. US Passport  
4. Work permit  
5. Public assistance records  
6. School records |

**DISLOCATED WORKER SERVICES**

<table>
<thead>
<tr>
<th>Eligibility Criteria</th>
<th>Acceptable Documentation</th>
</tr>
</thead>
</table>
| A. 1. Has been terminated or laid off, or has received a notice of termination or layoff, from employment; | 1. Documentation from employer  
2. Unemployment Insurance records |
| 2. a. Is eligible for or must have exhausted entitlement to unemployment compensation; or | 1. Individual Unemployment Insurance records (Award Letter)  
2. Profiled client/referral form [Department of Employment, Training and Rehabilitation/Employment Security Division (DETR/ESD Form)] |
| b. Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed | 1. Pay stubs  
2. Letter from company  
4. Individual Unemployment Insurance records  
5. W2 records  
6. Tax returns |
services for an employer that was not covered under a State unemployment compensation law.

3. Is unlikely that the individual will return to his/her previous industry or occupation.

1. Job orders from ES record
2. Documentation of Unemployment Insurance exhaustion
3. Separation from military service
4. Labor market information - Supply and Demand [Occupational Information System (OIS)]
5. Certificate of expected separation

B. 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:

1. Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.

1. Letter from company
2. Newspaper article
3. Employment Security Division records

C. Displaced Homemaker

1. Tax returns
2. Social Security documents
3. Death notice
4. Legal separation
5. Divorce Decree
6. Public assistance records/UI records
7. Lay off notice for wage earner
8. Wage earners UI award letter

D. Self-employed status

1. Records of business closure
2. Tax returns
3. Business license
4. News articles on the state of the local economy or natural disaster

XI. SPECIAL PARTICIPANT POPULATIONS – Refer to Individual Training Accounts §663.430 and WIA State Compliance Policy 1.9

<table>
<thead>
<tr>
<th>Training Services for Special Participant Populations (Adult Services)</th>
<th>Acceptable Documentation</th>
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</thead>
<tbody>
<tr>
<td><strong>Eligibility Criteria</strong></td>
<td><strong>Acceptable Documentation</strong></td>
</tr>
<tr>
<td>A. When applicable, Special Participant Populations must meet low income eligibility criteria detailed under WIA State Compliance Policy 1.7, and one or more of the following:</td>
<td></td>
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<tr>
<td>1. Individuals with substantial language or cultural barriers.</td>
<td>1. Self certification</td>
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<td></td>
<td>2. English as a Second Language evaluation</td>
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<tr>
<td>2. Offenders</td>
<td>1. Prison records</td>
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<td></td>
<td>2. Prison identification</td>
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<tr>
<td></td>
<td>3. Other documentation from a corrections agency</td>
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<tr>
<td>3. Homeless individuals</td>
<td>Written statement from social service agency, shelter, individual providing temporary shelter</td>
</tr>
</tbody>
</table>