NORTEC
POLICY STATEMENT
WIOA ADULT AND DISLOCATED WORKER PROGRAMS

Last Update: June 1, 2023

PURPOSE

The purpose of this policy is to provide guidelines to the Service Providers (NoRTEC Contractors) regarding the documentation of eligibility for the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA), and subsequent enrollment into the WIOA program.

The following provides information on the minimum requirements for the documentation of participant eligibility and enrollment into the WIOA program. Service Providers may include additional elements in their local policies and procedures, so long as they are in conformance with this policy, the WIOA, DOL Regulations, and State of California Directives.

ELIGIBILITY FOR ADULT/DISLOCATED WORKER SERVICES

Individuals enrolled in the WIOA Adult and Dislocated Worker programs must meet the general eligibility criteria outlined under item A below. Dislocated Workers, in addition to meeting the general eligibility criteria in item A below, must also meet the criteria outlined in one of the categories outlined under item B below.

Eligibility is determined based on information collected during registration and these criteria follow the participant through the entire course of WIOA programs and services attached to that application. If the participant's circumstances change during the WIOA registration cycle (such as a change in economic status, employment status, etc.), the participant remains eligible.[1]

Eligibility for services should not be construed as a guarantee of services. The WIOA is not an entitlement program. [WIOA, section 194(12)]

Employment and training opportunities must be provided to Adults and Dislocated Workers who can benefit from, and are most in need of, such opportunities. [WIOA, Section 194(1)]

A. General Eligibility Criteria

All Adults and Dislocated Workers must meet the following general eligibility criteria:

1. Authorization to Work [State of California Directive, WSD14-4]]
2. Compliance with Selective Service Registration Requirements [WIOA, section 189(h)]
3. Age 18 or older on the *"Date of Participation"* [Regulations, section 680.120]

[1] Note: WIOA eligibility follows the participant from registration through exit. Any WIOA programs the participant is enrolled in under that registration cycle must reflect the eligibility of the individual at the time of *registration/date of participation* and may not change based upon circumstances at a later date during the registration cycle.

All of these general eligibility criteria must be documented in the participant file prior to the provision of WIOA services. (See Attachment A for a list of acceptable documents for each of these criteria.)

B. Additional Eligibility Criteria (Dislocated Workers)

In addition to the general eligibility criteria outlined in item A under this section, Dislocated Workers must also meet the criteria outlined in one of the categories outlined below. (See Attachment B for list of acceptable documents for each of these criteria.)

A "dislocated worker" is an individual who:

Category 1:

1. Has been terminated or laid off, or who has received a notice of termination or layoff, from employment; and
2. 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 were not covered under a State unemployment compensation law; and
3. Is unlikely to return to a previous industry or occupation.

Category 2:

1. 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[2]; or
2. Is employed a facility at which the employer has made a general announcement that such facility will close within 180 days; or
3. For purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.

Category 3:

Was self-employed (including employment as a farmer, rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.

Category 4:

Is a displaced homemaker.

[2] See Attachment E for an expanded definition of a plant, facility, or enterprise as it relates to a permanent closure or substantial layoff.

Category 5:

1. Is 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; or
2. Is the spouse of a member of the Armed Forces on active duty and who meets the criteria described under the definition of a displaced homemaker in Attachment E of this policy.

These additional eligibility criteria must be documented in the participant file prior to the provision of WIOA services. (See Attachment B for a list of acceptable documents to validate each of these criteria.)

[WIOA, section 3(15); Regulations, section 680.130; NoRTEC Policy]

PRIORITY OF SERVICE

A. Veterans

Per DOL TEGL 10-09[3] and EDD Directive WSD08-10[4], WIOA Program Operators/One Stop Career Centers/AJCCs must enable veterans and eligible spouses to identify themselves at the point of entry to the system or program, and veterans and eligible spouses must be given the opportunity to take full advantage of the priority[5]. To ensure they are able to do so, veterans and eligible spouses must be made aware of:

1. Their entitlement to priority of service;
2. The full array of employment, training, and placement services available; and
3. Applicable eligibility requirements for programs and services.

Service Providers shall develop and implement processes to identify veterans and eligible spouses who physically access service delivery points or who access service delivery programs through the Internet in order to provide veterans and eligible spouses with timely and useful information on priority of service at the point of entry. Point of entry may include reception at an AJCC/One Stop Career Center, as part of an application process for a specific program, or through any other method by which veterans and eligible spouses express an interest in receiving services, either in-person or virtually. *(Note: To the extent practicable, written copies of local priority of service policy should be maintained at service*

[3] Training and Employment Guidance Letter (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 US Department of Labor.
[4] Workforce Services Directive WSD08-10, "Final Rule on Priority of Service for Veterans and Eligible Spouses."
[5] It is neither necessary nor appropriate for AJCC/One Stop Career Center staff to require documentation of the status of a veteran or eligible spouse at the point entry, unless the individual who self-identifies as a veteran or eligible spouse is to immediately undergo eligibility determination and be registered/enrolled in the WIOA program. At the time of registration/application into the WIOA program, however, one of the listed types of documentation in Attachment B must be collected to report the individual as a veteran or eligible spouse on the WIOA application form entered into CalJOBS. *Note: If documentation of veteran's status is not collected before the participant completes the WIOA program and the 90 day clock starts, then the WIOA application must be modified and any data fields indicating the participant is a veteran must be corrected. Self-attestation may not be utilized to report an individual as a veteran in the CalJOBS WIOA participant tracking system.*

delivery points, and posted in a way that makes it possible for members of the general public to easily access them.)

Priority of service means that veterans and eligible spouses (referred to later in this policy as "covered persons") are given priority over non-covered persons for the receipt of employment, training, and placement services provided under the WIOA program. Priority means that veterans and eligible spouses are entitled to precedence over non-covered persons for services. This means that a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

This priority of service policy does not imply that a veteran or eligible spouse is "entitled" to WIOA programs/services with respect to individualized career and training services[6]. In addition, veterans and eligible spouses, in order to receive individualized career and training services must also meet all of the statutory eligibility requirements in order to be enrolled in the WIOA program and provided priority for receipt of services.

It should also be noted that, for a service such as classroom training, priority of service applies to the selection procedure as follows. First, if there is a waiting list for the formation of a training class, priority of service is intended to require a veteran or eligible spouse to go to the top of that list. Second, priority of service applies up to the point at which an individual is both: (a) approved for funding, and (b) accepted or enrolled in a training class. Therefore, once a non-covered person has been both approved for funding and accepted/enrolled in a training class, priority of service is not intended to allow a veteran or eligible spouse who is identified subsequently to "bump" the non-covered person from that training class.[7]

Attachment C to this policy provides information on acceptable documentation to be collected to verify a veteran's status for priority of service. Copies of acceptable documentation will be placed in the participant file. *Note: Self-attestation is not an acceptable form of documentation to verify veteran status. [DOL TEGL, 6-14]*

Each Service Provider will implement local procedures to ensure compliance with this policy.

Note: Per WSD 19-04, it is important to note that VA benefits for education and training services do not constitute "other grant assistance" under WIOA's eligibility requirements. Therefore, veterans or eligible spouses who are eligible for the GI Bill or other forms of VA-funded education or training are NOT required to coordinate their entitlement to those benefits with their eligibility for WIOA-funded training, as stipulated under 20 CFR Section 680.230. Program operators may NOT require veterans or eligible spouses to exhaust their entitlement to VA-funded training prior to enrolling them in WIOA-funded training.

[6] DOL TEGL 10-09, Attachment B (Frequently Asked Questions), Question 15 (page 19) states that there is not a broad entitlement to veterans and eligible spouses in USDOL-funded programs that guarantee services to individuals who are not "suited" for the program.

[7] DOL TEGL 10-09, page 5, item 7 "Understanding What it Means to Provide Priority of Service."

B. Public Assistance Recipients, Low Income, and Basic Skills Deficient (Adult Program Only)

WIOA section 134(c)(3)(E) requires that priority of service in delivery of *individualized career* and *training services* to individuals enrolled in the **WIOA Adult program** must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

Expectations at the Federal level are that at least 75% of individuals who have exited the Adult program meet one or more of the criteria listed in this section (public assistance recipient, low income, basic skills deficient). Veteran's status, by itself, is not counted in meeting the 75% requirement. For additional information, refer to NoRTEC's Policy form entitled: Priority of Service, WIOA Adult Program.

Attachment C provides information on acceptable documentation to be collected to verify an enrolled individual's status as part of one or more of these target groups. (See Attachment D for information on what is to be included or not included in the calculation of an individual's income, as well as a list of acceptable documentation for Adults and Dislocated Workers who are low income.) Copies of acceptable documentation shall be placed in the participant file.

WIOA programs are required by law to provide a priority or preference for a particular group of individuals. All WIOA programs (Adult, Dislocated Worker, and Youth) are required to provide priority of service to veterans and eligible spouses of veterans. The Adult program is additionally required to provide priority of service to public assistance recipients, other low income individuals, and individuals that are basic skills deficient (the target groups that apply only to the Adult program are not listed in particular order). Because, however, we have both a mandate to provide priority to veterans/eligible spouses and the above listed groups for the Adult program, DOL requires (TEGL 10-09) that priority of service be applied in the following order (for the Adult program):

1. Veterans and eligible spouses (also known as "covered persons") who meet the mandatory priorities (public assistance recipient, other low income individuals, and individuals who are basic skills deficient) must receive the highest level of priority for WIOA programs and services.
2. Non-covered persons who are part the Adult program's priority of service groups (public assistance recipients, other low income individuals, and individuals who are basic skills deficient) receive the second level of priority for WIOA programs and services.
3. Veterans and eligible spouses ("covered persons") who are not public assistance recipients, low income, or basic skills deficient, receive the third level of priority for WIOA programs and services.
4. Non-covered persons who are not part of the Adult program's priority of service groups (public assistance recipients, other low income individuals, and individuals who are basic skills deficient) receive the fourth level of priority for WIOA programs and services.

REGISTRATION

Registration is an information collection process that documents a determination of eligibility (registration is also referred to as the "intake process"). For an individual to be registered into a WIOA program, the following must occur:

1. The individual must complete the application/eligibility determination process; and
2. The individual must provide documentation to substantiate his/her eligibility.

After eligibility has been confirmed, potential participants shall undergo a "suitability screening" or "structured interview" to determine the individual's need for, and ability to benefit from, services. If the individual is deemed "suitable," service provider staff will then enroll the individual in the WIOA program.

Enrollment into the WIOA program must then occur within **45 days**[8] of the date of application.

BASIC CAREER SERVICES

Basic Career Services are considered "universal services" and do not require eligibility determination or enrollment into the WIOA program. These services may be accessed in-person at any of NoRTEC's thirteen America's Job Centers of California (AJCC). Some of these services may also be accessed over the Internet on the CalJOBS website: http://www.caljobs.ca.gov

Basic Career Services include the following:

1. Determination of whether an individual is eligible to receive services under the WIOA Adult, Dislocated Worker, or Youth programs.
2. Outreach, intake[9], and orientation to the information and other services available through the one-stop delivery system.
3. Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs.
4. Labor exchange services, including—
   a. Job search and placement assistance,
   b. Career counseling (if needed), which includes
      i. Provision of information on in-demand industry sectors and occupations, and
      ii. Provision of information on nontraditional employment.
   c. Appropriate recruitment and other business services on behalf of employers, including small employers in the local area.
5. Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and other workforce development programs (when appropriate).

[8] If more than 45 days lapse before the individual is to be enrolled, the application must be updated. To update the application, a new application date must be entered, and all documentation used to establish eligibility must be relevant as of the "updated" date.

[9] Including identification through the State of California's Worker Profiling and Reemployment Services system of unemployment insurance (UI) claimants likely to exhaust benefits, when access to EDD personnel is available.

6. Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including
   a. Job vacancy listings in relevant labor market areas,
   b. Information on job skills necessary to obtain the vacant, and
   c. Information relating to local occupations in demand the earnings, skill requirements, and opportunities for advancement for such occupations.
7. Provision of performance information and program cost information on training services by program type and provider (e.g., California's ETPL (eligible training provider list), providers of adult education services under Title II of WIOA, providers of vocational rehabilitation services under Title I of the Rehabilitation Act of 1973).
8. Provision of information on how NoRTEC is performing on performance accountability measures, as well as any other performance information relevant to the one-stop delivery system. (See definition of *Performance Indicators/Standards* in Attachment E of this policy.)
9. Provision of information (and referral to such services) related to the availability of supportive services or assistance, including child care, child support, medical or child heath assistance available through the State's Medicaid program and Children's Health Insurance Program, benefits under SNAP, assistance through the earned income tax credit, housing counseling and assistance services sponsored through the US Department of Housing and Urban Development, and assistance under a State TANF program (and other supportive services and transportation through that program).
10. Provision of information and assistance regarding filing claims for unemployment compensation, including meaningful assistance to individuals seeking assistance in filing a claim[10].
11. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not funded under WIOA.

[WIOA, section 134(c)(2)(A)(i-xi); EDD Workforce Services Directive WSD15-14; NoRTEC Policy]

ENROLLMENT

If an individual requires more than Basic Career Services (as outlined above, then she/he must be enrolled into the WIOA program for additional services. In CalJOBS (the State of California's participant tracking system), an individual is considered enrolled in WIOA as of the *"Participation Date"* that is recorded under the **Create Participation** section. After information

[10] Per EDD's Workforce Services Directive WSD15-14, "meaningful assistance" means: (1) On-site staff who are properly trained in UI claims, filing, and/or the acceptance of information necessary to file a claim (staff proving UI assistance may be UI, Wagner-Peyser, or other AJCC partner staff members who have been properly trained to provide this type of assistance and service—questions, advice, or decision that could affect a claimant's eligibility should only be handled by UI program staff); or (2) By phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time. Costs associated in providing meaningful assistance may be paid for by the State's UI program, the WIOA Adult or Dislocated Worker programs, the Wagner-Peyser Employment Service, or some combination of these funding sources.

is entered in to the **Create Participation** section, the individual is enrolled into the WIOA program and may begin receiving *Individualized Career Services* and/or *Training Services*.

INDIVDIUALIZED CAREER SERVICES

Individualized Career Services are not considered universal services, and individuals who receive them must be eligible under WIOA and enrolled in the WIOA program as a participant. These services are accessed in-person at any one of NoRTEC's thirteen America's Job Centers of California (AJCC). These services are subject to *Priority of Service* provisions as outlined above in this policy under the WIOA Adult program.

Individualized Career Services are those that are appropriate in order for an individual to obtain or retain employment, and include the following:

1. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers and include (a) diagnostic testing and use of other assessment tools, and (b) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
2. Development of an individual employment plan (IEP) that shall identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including the provision of information on eligible providers of training services and career pathways to attain career objectives.
3. Group and individual counseling.
4. Career planning.
5. Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.
6. Internships[11] and work experiences that are linked to careers.
7. Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, training, or employment.
8. Financial literacy services[12].
9. Out-of-area job search assistance and relocation assistance.
10. English language acquisition and integrated education and training programs.
11. Follow-up Services, including counseling regarding the workplace, for participants placed in unsubsidized employment for up to 12 months after the first day of employment, as appropriate.

[11] See NoRTEC's Internship Policy Statement.
[12] See definition of Financial Literacy Services in Attachment E of this policy.

See Attachment E of this policy for expanded definitions of some of these individualized career services.

TRAINING SERVICES

Training Services are not considered universal services, and individuals who receive them must be eligible under WIOA and enrolled in the WIOA program as a participant. These services are accessed in-person at any one of NoRTEC's thirteen America's Job Centers of California (AJCC). These services are subject to *Priority of Service* provisions as outlined above in this policy under the WIOA Adult program.

Training services may be made available to employed and unemployed adults and dislocated workers who:

1. A one-stop center or one-stop partner determines, after an interview, evaluation, or assessment, and career planning, are:
   a. Unlikely or unable to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment through career services;
   b. In need of training services to obtain or retain employment leading to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
   c. Have the skills and qualifications to participate successfully in training services.
2. Select a program of training services that is directly linked to the employment opportunities in the local area or in another area to which the individual is willing to commute or relocate.
3. Are unable to obtain grant assistance from other sources to pay costs of such training, including such sources as State-funded training funds, Trade Adjustment Assistance (TAA), and Federal Pell Grants, or require WIOA assistance in addition to other sources of grant assistance.

Per NoRTEC policy, any enrolled individual that receives a training service must have an Individual Employment Plan, signed by the participant and case manager, and a copy must be placed in the participant file.

Training services include, but are not limited to:

1. Occupational skills training (provided through an Individual Training Account), including training for nontraditional employment, and apprenticeships.
2. On-the-Job (OJT) training.
3. Incumbent worker training.
4. Programs that combine workplace training with related instruction, which may include cooperative education programs.
5. Training programs operated by the private sector.
6. Skill upgrading and retraining.
7. Entrepreneurial training.
8. Transitional jobs.

9. Job readiness training provided in combination with services described in items 1-8 above.
10. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described in items 1-7 above.
11. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

See Attachment E of this policy for expanded definitions of some of these training services.

EXITED PARTICIPANTS

After a participant has completed his/her last service under the WIOA program, a case closure shall be entered into the participant tracking system (CalJOBS). Ninety days after the closure date, CalJOBS will soft-exit the participant from the WIOA program. The soft-exit process will record the exit date to match the end date of the last reported service in CalJOBS.

If additional services are required after the case closure has been entered but the 90 days have not yet lapsed, the case closure shall be deleted, and a new activity will be entered with a start date reflecting the date the service began. The 90 day "exit" clock will be reset, and will begin again upon the entry of the next case closure.

If additional services are required after the 90 day period lapses, the individual must begin the application/registration process again. The eligibility documentation must be updated to reflect the circumstances of the individual on the date of the new application.

ADDITIONAL INFORMATION

Additional policy statements that should be reviewed that apply to the provision of services under the Adult and Dislocated Worker programs include:

1. Priority of Service
2. Determining Self-Sufficiency for the WIOA Adult Program
3. Individual Training Accounts
4. OJT (On-the-Job Training)
5. Supportive Services
6. Training Expenditures

POLICY EXCEPTIONS

Service Providers (NoRTEC Subcontractors) may make exceptions to this policy only with prior written authorization from the NoRTEC Administrative Entity.

ATTACHMENT A

GENERAL ELIGIBILITY ACCEPTABLE DOCUMENTATION	
Adult/Dislocated Worker Programs	
Eligibility Criteria	**Acceptable Documentation**
Authorization to Work *Note: You must collect source documents that would meet the requirements for an I-9, not fill out the I-9 itself*	• I-9 Level of Documentation: https://www.uscis.gov/i-9 One document from List A **OR** One document from List B **and** one document from List C *(Self-Attestation is not acceptable documentation for this criterion.)*
Selective Service Registration (males who were born on or after January 1, 1960, and have attained their 18th birthday)	General information on selective service, who must register, timelines for registration, etc., may be accessed on the website at: https://www.sss.gov/Default.htm On-line verification of prior registration can be accessed here: https://www.sss.gov/RegVer/wfVerification.aspx On-line registration can be accomplished here: https://www.sss.gov/RegVer/wfRegistration.aspx • Selective Service acknowledgment letter • Form DD-214 "Report of Separation" • Screen printout of the Selective Service verification site (website) • Documented telephone verification from Selective Service • Selective Service registration card • Selective Service verification form (Form 3A) • Stamped post office receipt of registration • Selective Service status information letter • Evidence presented by an individual that his failure to register with the Selective Service was not knowing and willful (e.g., a written explanation accompanied by supporting documentation such as third party affidavit)
Age 18 and Over	• Baptismal record • Birth certificate • Form DD-214 "Report of Separation" • Driver's license or temporary driver's license • Federal, state or local government issued identification card • Hospital record of birth • Passport

	• Public assistance/social service records • School records or identification card • Work permit • Tax records (if birthdate is part of the record) • Tribal records

ATTACHMENT B

ADDITIONAL ELIGIBILITY CRITERIA ACCEPTABLE DOCUMENTATION	
Dislocated Worker Programs	
Eligibility Criteria	**Acceptable Documentation**
<u>Category 1</u>:	
1. Has been terminated or laid off, or who has received a notice of termination or layoff, from employment; and	• Employer or union representative letter or statement • Photocopy of a printed media article or announcement describing the layoff • WARN Notice • Self-Attestation
	---
2. 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 were not covered under a State unemployment compensation law; and	• UI Documentation (hard copy or computer printout) • Statement by EDD/UI personnel • Pay check stubs • W-2 and/or tax returns • Statement by an employer or union representative • Self-Attestation (only for documentation of "attachment to the workforce/not eligible for UI compensation " criterion)
	---
3. Is unlikely to return to a previous industry or occupation.	• Notice of referral to an IAW/REA workshop • Verification that there are two or fewer openings available in the relevant occupation/labor market for the applicant from an Internet site such as CalJOBS • Doctor's statement indicating applicant's inability to return to previous industry/occupation to physical limitations • Vocational rehabilitation counselor's statement indicating applicant's inability to return to previous industry/occupation to physical limitations *(acceptable documentation continued on next page)*

	• AJCC staff's determination that applicant does not have the skills necessary to return to previous industry/occupation • AJCC staff's determination that applicant is unable to return to previous industry/occupation due to financial and/or family issues. • Applicant Statement
<u>Category 2</u>: 1. 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 2. Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or 3. For purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.	• Statement from employer or union representative • Telephone verification • Photocopy of a printed media article or announcement describing the layoff • Bankruptcy documents, if declared under Chapter 7, Title II, U.S.C. • Notice of foreclosure or similar document provided by a financial institution when such document clearly shows that a closure or mass layoff will occur as a result of its issuance • WARN notice • Self-Attestation ---------- Documentation for evidence of employment for at such facility (for items 2 and 3) is the same as for Item 1 above Documentation for General Announcement (for items 2 and 3): • Media article • Public Notice • Bankruptcy documents, if declared under Chapter 7, Title II, U.S.C. • Notice of foreclosure or similar document provided by a financial institution when such document clearly shows that a closure or mass layoff will occur as a result of its issuance

<u>Category 3</u>: Was self-employed (including employment as a rancher, rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.	Verification of Self-Employment • Business license • Copy of a completed federal income tax return (Schedule SE) for the most recent tax year • Copy of a printed media article announcement describing the closure of the business • Copy of the articles of incorporation for the business listing the applicant as a principal • Bankruptcy documents listing both the name of the business and the applicant's name • Self-attestation See Attachment E of this policy for a definition of "general economic conditions" and provide applicant or AJCC staff statement outlining how this applies to applicant's loss of employment
<u>Category 4</u>: Is a displaced homemaker	• Divorce papers • Spouse's death record • Public assistance records • Court records • Bank records • Self-attestation • Doctor's Statement of Spouse unable to work • Statement of Temporary resident/shelter
<u>Category 5</u>: 1. Is 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; or 2. Is the spouse of a member of the Armed Forces on active duty who meets the criteria described under the definition of displaced	• Military records to substantiate **spouse** is on active duty with the Armed Forces and has been relocated, <u>and</u> • Verification of spouse's loss of employment which may include UI records, an employer statement, or self-attestation --- • Divorce papers • Spouse's death record • Public assistance records • Court records

homemaker in Attachment E of this policy.	• Bank records • Self-attestation

ATTACHMENT C

PRIORITY OF SERVICE ACCEPTABLE DOCUMENTATION	
Priority of Service Veteran or Eligible Spouse Adult/Dislocated Worker Programs	
Eligibility Criteria	**Acceptable Documentation**
Veterans Status (for determination of Priority of Service to Veterans and Eligible Spouses)	• Form DD 214 • Veterans' Administration letter or records • Cross match with veterans data *<u>Note</u>: Self-attestation is not acceptable as a form of verification of veteran status (DOL TEGL 6-14, "Program Year (PY) 2013/Fiscal Year (FY) 2014 Data Validation and Performance Reporting Requirements and Associated Timelines")*
Priority of Service Adult Program	
Eligibility Criteria	**Acceptable Documentation**
Public Assistance Recipient *Receives, or in the past six months has received (or is a member of a family that is receiving or in the past six months has received), assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI) established under Title XVI of the Social Security Act, or state or local income-based public assistance.*	• "Passport to Services" printout from local welfare/CalWORKS program • Public assistance records • Public assistance telephone verification • Refugee assistance records
Other Low Income Individual *1. Received an income, or is a member of a family that received a total family income, for the six month period prior to application for the program, that in relation to family size, does not exceed the higher of:* *(A) The poverty line for an equivalent period, or* *(B) 70 percent of the Lower Living Standard Income Level of an equivalent period*	• Alimony agreement • Award letter from Veterans Administration • Bank Statements (direct deposit) • Compensation award letter • Court award letter • Pension Statement • Employer statement/contact • Family or business financial records • Housing authority verification

	• Pay stubs (for the full six month period for each income source) • Pension statement • Public assistance records • Quarterly estimated tax for self-employed persons (Schedule C) • Social Security benefits records • UI documents and/or printout • Self-attestation
2. *A homeless individual*	---------- • Statement from an individual providing temporary residence • Statement from a social service agency • Statement from a shelter • Self-attestation
3. *An individual with a disability whose own income does not exceed the income requirement, but is a member of a family whose total income does.*	---------- • Alimony agreement • Award letter from Veterans Administration • Bank Statements (direct deposit) • Compensation award letter • Employer statement/contact • Family or business financial records • Housing authority verification • Pay stubs (for the full six month period for each income source) • Pension statement • Public assistance records • Quarterly estimated tax for self-employed persons (Schedule C) • Social Security benefits records • UI documents and/or printout • Self-attestation
Basic Skills Deficient 1. *Lacks a high school diploma or high school equivalency and is not enrolled in post-secondary education.*	• School records • Self-Attestation

2. *Enrolled in a Title II Adult Education/Literacy program.*	• Title II Adult Education/Literacy program records/referral • Self-Attestation
3. *English, reading, writing, or computing skills at a grade level of 8.9 or below on a standardized testing instrument.*	• Standardized Assessment Test
4. *Determined to be Limited English Skills proficient through staff documented observations.*	• Staff documentation through case notes or standardized forms

ATTACHMENT D

ADULT/DISLOCATED WORKER ACCEPTABLE DOCUMENTATION	
Low-Income - WIOA	
Eligibility Criteria	**Acceptable Documentation**
Receives, or in the past six months has received (or is a member of a family that is receiving or in the past six months has received), Federal, State or local income-based public assistance, including Temporary Assistance for Needy Families (TANF) and Supplemental Security Income (SSI) established under Title XVI of the Social Security Act.	• "Passport to Services" printout from local welfare/CalWORKS program • Public assistance records • Refugee assistance records
Received an income, or is a member of a family that received a total family income, for the six month period prior to application for the program, that in relation to family size, does not exceed the higher of: (C) The poverty line for an equivalent period, or (D) 70 percent of the Lower Living Standard Income Level of an equivalent period Documentation must be provided for each applicable income source received by the applicant and each family member for the six month period. It is also necessary to verify family size when utilizing family income eligibility. An applicant who claims little or no income must sign an applicant statement that little or no income was received during the past six months, and an explanation of how they are supporting themselves. A corroborating witness shall also sign the applicant statement who is aware of the applicant's financial situation (often the person supplying room and board).	• Alimony agreement • Award letter from Veterans Administration • Child Support payment documentation • Bank Statements (direct deposit) • Compensation award letter • Employer statement/contact • Family or business financial records • Housing authority verification • Pay stubs (for the full six month period for each income source) • Pension statement • Public assistance records • Quarterly estimated tax for self-employed persons (Schedule C) • Social Security benefits records • UI documents and/or printout • Self-attestation
Qualifies as a homeless individual as defined in Section 41403(6) of the Violence Against Women Act of 1994 or a homeless child or youth as defined under Section 725(2) of the McKinney-Vento Homeless Assistance Act	• Statement from an individual providing temporary residence • Statement from a social service agency • Statement from a shelter • Self-attestation

The applicant is a member of a household that receives (or in the past six months has received), assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008	• Current authorization to obtain CalFresh • CalFresh card with a current date • Current CalFresh receipt • Statement from a local County Welfare/CalWORKS Department • "Passport to Services" printout from local welfare/CalWORKS program • Public assistance documents
Foster child on behalf of whom State or local government payments are made	• Confirmation from social services agency • Legal/court documents
Individual with a disability whose own income meets the low-income requirements outlined in the first and second items in this table, but is a member of a family whose income does not meet such requirements. (Disability status must also be documented—see Attachment A)	• Alimony agreement • Award letter from Veterans Administration • Bank Statements (direct deposit) • Compensation award letter • Employer statement/contact • Family or business financial records • Housing authority verification • Pay stubs (for the full six month period for each income source) • Pension statement • Public assistance records • Quarterly estimated tax for self-employed persons (Schedule C) • Social Security benefits records • UI documents and/or printout • Self-attestation

See next page for a list of what is (and is not) counted as income under WIOA.

SOURCES OF INCOME

Income is determined by collecting information from the family for the complete six month period prior to application. This figure is then doubled (annualized) and compared to a table provided via Directive by the State of California to determine whether the adult is considered low income based upon family size and total reported "annualized" income.

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

- Monetary compensation for services, including wages, tips, salary, commissions, or fees before any deductions
- Unemployment Insurance payments
- Child Support payments
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expenses)
- 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)
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp)
- Alimony, military family allotments, or other regular support from an absent family member or someone not living in the household
- Private pensions, government employee pensions (including military retirement pay)
- Pension payments authorized by Title 10 U.S.C., such as those received by military retirees, whether or not their retirement is/was based on disability
- Pension benefits paid under Title 38 U.S.C. Chapter 15 – Pensions for low-income, wartime veterans who are disabled for reasons not connected or related to their military service
- Regular insurance or annuity payments (including state disability insurance)
- College or university scholarships (not needs-based), grants, fellowships, and assistantships
- Net gambling or lottery winnings
- Severance payments
- Terminal leave pay
- Social Security Disability Insurance (SSDI) payments (Title II of the Social Security Act, Federal Old Age, Survivors and Disability Insurance)
- Social Security Old Age, Survivors and Disability Insurance (OASI) benefits received under Section 202 of the Social Security Act

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

- Foster care child payments
- Need-based public assistance payments (including Temporary Assistance for Needy Families, supplemental security income (SSI), 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 benefit
- Military pay or allowances paid while on active duty.
- Military pay or allowances paid by the VA for vocational rehabilitation, disability payments, or related VA-funded programs (including the VA work study allowance), and including any financial benefits received under the following chapters of Title 38 U.S.C.:
  - Chapter 11 – Compensation for service-connected disability or death
  - Chapter 13 – Dependency and indemnity compensation for service-connected deaths
  - Chapter 30 – All volunteer force educational assistance program
  - Chapter 31 – Training and rehabilitation for veterans with service-connected disabilities
  - Chapter 33 – Post-9/11 educational assistance
  - Chapter 35 – Survivors' and dependents' educational assistance
  - Chapter 36 – Administration of educational benefits
  - Any benefits received under Title 10 U.S.C. Chapter 106-Educational assistance for members of the selected reserve
- Capital gains
- Any assets drawn down as withdrawals from a bank, 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 (OJT) training wages, which must be included in income calculations)

[DOL TEGL, 21-16; WSD 19-04; NoRTEC Policy]

ATTACHMENT E

EXPANDED DEFINITIONS

Attachment to the Workforce – Attachment to the workforce is defined as having worked at least three consecutive months during the twelve months prior to registration for the WIOA program. [NoRTEC Policy]

Basic Skills Deficient – An adult, that is unable to compute or solve problems, or read or write, or speak English, at a level necessary to function on the job, in the individual's family, or in society. [WIOA, section 3(5)(B)]

Criteria[13] that may be used to determine whether an Adult is basic skills deficient includes the following:

1. Lacks a high school diploma or high school equivalency and is not enrolled in post-secondary education.
2. Enrolled in a Title II adult Education/Literacy program.
3. English, reading, writing, or computing skills at a grade level of 8.9 or below on a standardized testing instrument.
4. Determined to be Limited English Skills proficient through staff documented observations.

Adults that meet one of the criteria above may be marked as "basic skills deficient" on the WIOA application, and shall be included in the calculation of the "priority of service" percentage for the Adult program (Dislocated Worker, Youth, and special funding programs do not require priority of service calculations, except that Veterans must be given priority in all WIOA programs and special projects).

If documentary evidence is not available to verify any of the above elements, the participant's status for a particular element may be documented in the case notes, as long as an auditable trail back to the source of information is verified. For example, if a phone call was made to a program to verify enrolled in a Title II Adult Education/Literacy program, the case note must include the date and time called, the school that was contacted, who provided the information (name and title), and what the information provided was.

Basic skills testing instruments utilized to measure and report educational gain (i.e., reporting a measurable skills gain) under WIOA must be deemed "suitable" by the National Reporting System for Adult Education (NRS). A list of NRS approved testing instruments in contained in NoRTEC's Youth Program Policy under the definition of Basic Skills Deficient.

Career Pathway – A combination of rigorous and high-quality education, training, and other services that:

1. Aligns with the skill needs of industries in the economy of the State or regional economy involved;

[13] Criteria listed to determine Basic Skills Deficiency for Adults are listed in EDD's Workforce Services Directive WAS15-14 on page 3 of 9.

2. Prepares an individual to be successful in any of a full range of secondary or postsecondary education options , including apprenticeships;
3. Includes counseling to support an individual in achieving the individual's education and career goals;
4. Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
5. Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
6. Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least one recognized postsecondary credential; and
7. Helps an individual enter or advance within a specific occupation or occupational cluster.

[WIOA, section 3(7)]

Career Planning – The provision of a client-centered approach in the delivery of services designed:

1. To prepare and coordinate comprehensive employment plans, such as service strategies, for participants to ensure access to necessary workforce investment activities and supportive services, using, where feasible, computer-based technologies; and
2. To provide job, education, and career counseling, as appropriate during program participation and after job placement.

[WIOA, section 3(8)]

Collateral Contact – Collateral contacts are documented telephone verifications or in-person conversations with an appropriate individual that verifies an eligibility criterion. These contacts are documented through the use of a *Telephone Verification/Document Inspection Form*. [NoRTEC Policy]

Corroborative Witness – A person who personally knows or can identify the WIOA applicant and who is reasonably likely to be able to verify the applicant's statement. Such verification may be accomplished by having the witness sign an *Applicant Statement Form* or by the completion of a *Telephone Verification/Document Inspection Form*. [NoRTEC Policy]

Customized Training - Customized training is training:

1. That is designed to meet the specific requirements of an employer (including a group of employers);
2. That is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and
3. For which the employer pays a significant portion of the cost of training, taking into account the size of the employer, the number of employees participating in the training, wage and benefits levels of those employees (at present and anticipated upon

completion of the training), relation of the training to the competitiveness of a participant, and other employer-provided training and advancement opportunities.

Customized training requires a contract between the Service Provider and the employer, and it is generally for hiring new of recent employees and not for retraining existing employees[14]. It is also generally "classroom based" and is often provided by a third party for the employer.

A "significant portion of the cost of training," in general, shall mean the employer pays more than 50% of the training.

[WIOA, section 134 (c)(3)(D)((xi); Regs, preamble pp 56153-56154; Regs, section 680.200; NoRTEC Policy]

Dependent Children – Individuals who are:

1. Claimed as a dependent on their parent's income tax; AND
2. (a) Under 18, not an emancipated minor, and living in a single residence with their parent(s) or guardian(s); or
   (b) Ages 18-21 and living in single residence with their parent(s) or guardian(s).

[NoRTEC Policy]

Displaced Homemaker – An individual who has been providing unpaid services to family members in the home and who:

1. (1) Has been dependent on the income of another family member but is no longer supported by that income; or (2) Is the dependent spouse of a member of the Armed Force on active duty[15] and whose family income is significantly reduced because of deployment[16], 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[17] death or disability of the member; and
2. Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment. [WIOA, section 3(16)]

Documentary Evidence - The collection of documentary evidence is the preferred method of documentation to establish eligibility under WIOA. Documentary evidence is "source documentation" obtained from an official entity/agency that verifies a particular eligibility criterion. Examples of entities/agencies that provide source documentation include, but are not limited to: TANF/CalWORKS, foster care agencies, probation departments, juvenile justice system, Employment Development Department, California Department of Rehabilitation, secondary schools, community colleges, universities, etc. [NoRTEC Policy]

[14] Incumbent worker training may be used for retraining existing employees, and is normally a layoff aversion strategy.
[15] "Active duty" as defined in section 101(d)(1) of title 10, United States Code.
[16] "Deployment" as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph 4 of such section.
[17] "Service-connected" as defined in section 101(16) of title 38, United States Code.

Documentation – The maintenance of physical evidence in participant files that is obtained during the eligibility determination process. Such evidence may include copies of the source documents, completed *Telephone/Document Inspection Forms* (collateral contacts) and signed *Applicant Statement Forms.* [NoRTEC Policy]

Employed Persons - Employed Persons consist of: (1) persons who did any work for pay or profit during the reference period, (2) persons who did at least 15 hours of unpaid work in a family-operated enterprise, or (3) persons who were temporarily absent from their regular jobs because of illness, vacation, bad weather, industrial dispute, or various personal reasons. [LMID Glossary of Terms: https://www.labormarketinfo.edd.ca.gov/LMID/Glossary_of_Terms.html]

Eligible Spouse (of a Veteran) – The eligible spouse means the spouse of any of the following:

1. Any veteran who died of a service-connected disability;
2. 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:
    a. Missing action;
    b. Captured in the line of duty by a hostile force; or
    c. Forcibly detained or interned in the line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
4. A veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (e.g., categories 2 or 3 above) would lose his/her eligibility of 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 derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member. (Note: A surviving spouse who is a widow or widower AND remarries on or after December 16, 20003, AND on or after attaining age 57, is entitle to continue to receive Dependency and Indemnity Compensation.)

[DOL 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 US Department of Labor]

English-Language Learner – An individual who has limited ability in writing, speaking, or comprehending the English language, and—

1. Whose native language is a language other than English; or
2. Who lives in a family or community environment where a language other than English is the dominant language.

[WIOA Section 3(38)]

Enrollment Date – Enrollment into the WIOA program is the first day the individual receives a service beyond eligibility determination and suitability screening, and is indicated in CalJOBS as the *"date of participation."* [NoRTEC Policy]

Family – Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

1. A husband, wife (including same sex spouses) and dependent children.
2. A parent or legal guardian and dependent children.
3. A husband and wife (including same sex spouses).

[NoRTEC Policy]

Financial Literacy Education – Activities may include:

1. Support the ability of participants to create budgets, initiate checking and savings accounts at banks, and make informed financial decisions;
2. Support participants in learning how to effectively management spending, credit, and debt, including student loans, consumer credit, and credit cards;
3. Teach participants about the significance of credit reports and credit scores; what their rights are regarding their credit and financial information; how to determine the accuracy of a credit report and how to correct inaccuracies; and how to improve or maintain good credit;
4. Support a participant's ability to understand, evaluate, and compare financial products, services, and opportunities and to make informed financial decisions;
5. Educate participants about identity theft, ways to protect themselves from identity theft, and how to resolve cases of identity theft and in other ways to understand their rights and protections related to personal identity and financial data;
6. Support activities that address the particular financial literacy needs of non-English speakers, including providing the support through the development and distribution of multilingual financial literacy and education materials.
7. Support activities that address the particular financial literacy needs of youth with disabilities, including connecting them to benefits planning and work incentives counseling;
8. Provide financial education that is age appropriate, timely, and provides opportunities to put lessons into practice, such as by access to safe and affordable financial products that enable money management and savings; and
9. Implement other approaches to help participants gain the knowledge, skills, and confidence to make informed financial decisions that enable them to attain greater financial health and stability by using high quality, age-appropriate, and relevant strategies and channels, including where possible, timely and customized information, guidance, tools, and instruction.

[WIOA, section 134(c)(2)(A)(xii)((IX), Regs, 681.500]

Follow-up Contacts – All Adults and Dislocated Workers that have been exited from the program into unsubsidized employment, must be contacted a minimum of four times to gather information about the need for follow-up services, employment and/or school status, and

wages (if employed). These contacts shall be conducted and entered into CalJOBS within the first two calendar months following the end of a required contact quarter. Following are timelines associated with exit quarters:

Exit Quarter	First Quarter After Exit	Follow-up Contact Time Period (To Gather Information About First Quarter After Exit)
July 1 – September 30	October 1 – December 31	January 1 – February 28
October 1 – December 31	January 1 – March 31	April 1 – May 31
January 1 – March 31	April 1 – June 30	July 1 – August 31
April 1 – June 30	July 1 – September 30	October 1 – November 30

Exit Quarter	Second Quarter After Exit	Follow-up Contact Time Period (To Gather Information About Second Quarter After Exit)
July 1 – September 30	January 1 – March 31	April 1 – May 31
October 1 – December 31	April 1 – June 30	July 1 – August 31
January 1 – March 31	July 1 – September 30	October 1 – November 20
April 1 – June 30	October 1 – December 31	January 1 – February 28

Exit Quarter	Third Quarter After Exit	Follow-up Contact Time Period (To Gather Information About Third Quarter After Exit)
July 1 – September 30	April 1 – June 30	July 1 – August 31
October 1 – December 31	July 1 – September 30	October 1 – November 20
January 1 – March 31	October 1 – December 31	January 1 – February 28
April 1 – June 30	January 1 – March 31	April 1 – May 31

Exit Quarter	Fourth Quarter After Exit	Follow-up Contact Time Period (To Gather Information About Fourth Quarter After Exit)
July 1 – September 30	July 1 – September 30	October 1 – November 20
October 1 – December 31	October 1 – December 31	January 1 – February 28
January 1 – March 31	January 1 – March 31	April 1 – May 31
April 1 – June 30	April 1 – June 30	July 1 – August 31

[NoRTEC Policy]

Follow-up Services – Follow-up services may be provided to adults and dislocated workers who were placed in unsubsidized employment for up to *12 months after the first day of employment*.

Follow-up services may include:

1. Referral to community resources;
2. Referral to medical services;
3. Tracking progress on the job;

4. Work-Related Peer Support Groups;
5. Assistance securing a better paying job;
6. Career development and further education planning;
7. Assistance with work-related problems;
8. Supportive services (transportation, work-related uniform/attire, work-related tools, housing assistance, utilities, dependent care, medical services, educational testing).

See the Employment Development Department, Workforce Services Division, Directive WSD19-06, entitled "CalJOBS Activity Codes" for definitions of the above noted follow-up services (these codes are defined under the "Follow-up Activity Codes" contained in Attachment 1 to this Directive).

General Announcement of Plant Closing – A media article, public notice, or public announcement documenting an employer's intent to close. [NoRTEC Policy]

General Economic Conditions – For the purposes of defining "general economic conditions" with respect to eligibility for self-employed individuals under WIOA Dislocated Worker programs, the following definition shall apply:

1. A business lost due to the closure or substantial layoff of a primary supplier or primary customer affecting the self-employed individual's products or services; or
2. A business lost because the product/occupation has little demand within the community or has been declining; or
3. A business lost because of increased non-labor production costs which are out of the control of management (i.e., energy costs); or
4. A business lost because of natural disasters as defined in the Federal Disaster Unemployment Assistance (DUA) program or by State declaration.[18]

Global Exclusion Exits – Global exclusion exits are those that remove an Adult or Dislocated Worker from both the numerator and the denominator for the calculation of performance standards. They include:

1. Institutionalized – The participant exits the program because he or she has become incarcerated in a correctional institution or has become a resident of an institution or facility providing 24-hour support such as hospital or treatment center during the course of receiving services as a participant. *While there is no minimum length of stay in an institution to qualify for the use of this exclusion, it is NOT federal intent to exit a participant after an overnight stay in jail or in a hospital or treatment center. It should only be used when the participant is unable to continue to receive program services and an explanation shall be included in the case notes in the participant file.*
2. Health/Medical – The participant exits the program because of medical treatment and that treatment is expected to last longer than 90 days and precludes entry into

[18] As defined by DUA, a major disaster means any hurricane, tornado, storm, flood, high water, wind-driven water or tidal wave, earthquake, drought, fire, or other catastrophe declared by the President to warrant government assistance to communities and individuals.

unsubsidized employment or continued participation in the program.[19] *This category does NOT allow for a health/medical global exclusion exit of a participant to take care of a family member.*

3. Deceased – The participant is deceased.
4. Reservist Called to Active Duty – The participant exits the program because he/she is a member of the National Guard or other reserve military unit of the armed forces and is called to active duty for at least 90 days.

[DOL TEGL 10-16, Page 47]

Homeless – The term homeless, homeless individual or homeless person includes:
An individual who lacks a fixed, regular, and adequate nighttime residence.
[Section 725(2) of the Stewart B. McKinney Homeless Assistance Act]

Individual Employment Plan (IEP) – An Individual Employment Plan (IEP) is an individualized career service that is developed jointly by the participant and the case manager. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals. NoRTEC requires that every participant who participates in internship or other work experience activities and/or any training service, must have an IEP in place before any of these activities begin.
[Regs, section 680.170; NoRTEC Policy]

Individual with a Disability – The term disability means, with respect to an individual:

1. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. A record of such impairment; or
3. Being regarded as having such impairment[20].

[Americans with Disabilities Act of 1990, As Amended, 42 U.S. Code 12102 – Definition of a Disability]

Objective Assessment – A process that identifies the academic levels, skill levels, and service needs of each participant. Such assessment shall also include a review of basic skills (when appropriate), occupational skills, prior work experience, employability interests, aptitudes (including interests and aptitudes for nontraditional jobs), supportive service needs, and developmental needs for the purpose of identifying appropriate services and career pathways for participants. This information shall also be utilized to develop an Individual Service Strategy (ISS) for each participant. [WIOA, section 129(c)(1)(A); Regs, 681.420]

Occupational Skills Training – Occupational Skills Training is an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced

[19] "Medical treatment" may include a doctor's note stating the participant may not go back to work until a date that is more than 90 days beyond the case closure date.

[20] Note: "Impairment" does not mean impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of six months or less. [42 U.S. Code 12102

levels. Priority consideration must be given to training programs that lead to recognized postsecondary credential that align with in-demand industry sectors or occupations in the local area. Such training must:

1. Be outcome oriented and focused on an occupational goal specified in the Individual Employment Plan (IEP);
2. Be of sufficient duration to impart the skills needed to meet the occupational goal;
3. Lead to the attainment of a recognized postsecondary credential; and
4. Be listed on the State of California's Eligible Training Provider List (ETPL).

[Regs, 681.540]

Offender – Any adult or juvenile:

1. Who is or has been subject to any stage of the criminal justice process, for whom services under the WIOA may be beneficial; or
2. Who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction. [WIOA, section 3(38)]

Performance Indicators/Standards – Performance indicators for the Adult and Dislocated Worker programs are negotiated between NoRTEC and the State. The indicators include:

1. The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program.
2. The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program.
3. The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program.
4. The percentage of program participants who obtain a recognized degree or postsecondary credential, or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program[21].
5. The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measureable skill gains towards such a credential or employment.

[WIOA, section 116(b)(2)(A)(i)]

Plant, Facility, Enterprise – A plant, facility, or enterprise is defined as a distinct unit of business or industry. Category 2 of Dislocated Worker eligibility refers to an individual who has lost (or will soon lose) his/her job due to the "permanent closure" or "substantial layoff" at a plant, facility, or enterprise.

[21] Program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within one year after exit from the program. [WIOA, section 116(b)(2)((iii)]

Examples of a "permanent closure" include (1) the closure of a division or department of a corporation or business, (2) the closure of a functional unit (such as a warehouse), (3) the closure of the entire facility at a specific site or location, or (4) the closure of the entire operation.

Substantial layoff (see the definition of a Substantial Layoff in this attachment) calculations may also be based upon this definition of a Plant, Facility, or Enterprise.

School Dropout – An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. [NoRTEC Policy]

Selective Service/Military Status – Each male individual participating in any program or activity established under WIOA, or receiving any assistance or benefit under WIOA, must comply with Section 3 of the Military Selective Service Act. [WIOA, section 189(h)]

All males who are at least 18 years of age and born after December 31, 1959, and who are not in the armed services on active duty must be registered. For more information on who must register, visit: https://www.sss.gov/

Additional guidance on selective service procedures may be found by accessing EDD Directive WSD 16-18: https://edd.ca.gov/Jobs_and_Training/pubs/wsd16-18.pdf

Note: Males who are under 18 as of the date of participation, but turn 18 before exiting from the WIOA program, must register for selective service to continue in the program and documentation of the registration must be placed in the participant file.

Self-Attestation - A method of documenting eligibility criteria under WIOA. This method is to be used only when documentary evidence is unavailable and a collateral contact (documented through the use of a *Telephone Verification/Document Inspection Form*) is not an option. A Self-Attestation by the participant (or other appropriate party) shall be documented through the use of an *Applicant Statement Form*, which must be signed by the individual making the statement. [NoRTEC Policy]

Short-Term Prevocational Services – Short-term, prevocational services, are defined as the development of learning, communication, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare the participant for unsubsidized employment or training.

These services are also intended for individuals who lack occupational credentials/certifications (or need to update them) and require short-term services to enhance and upgrade skills for employment. Pre-vocational services may also include services that:

- Prepare individuals for licensing or certification exams.
- Enhance the employability of individuals who already possess occupational skills in demand occupations, but lack up-to-date skills required in most workplaces for hiring for the occupation.

Examples of pre-vocational services include, but are not limited to, nursing license exam courses or computer skills training to enhance employability when individuals already possess a set of core occupational skills, but do not have the technology or other skills required to obtain or retain employment. Any activity that completes a gap in baseline knowledge for a given industry sector as determined by a comprehensive or specialized assessment of an individual is also allowable.

In order to be considered a pre-vocational activity, all of the following criteria must be met:

1. The need for this activity must be documented in the IEP, and based upon assessment results and the skills and aptitudes of the individual.
2. The services must be clearly tied to an employment goal that is outlined in the individual's IEP.
3. The duration of the activity may not exceed 120 hours.
4. The cost of the service must be less than $1,200.

This definition applies only to Adult and Dislocated Worker programs. CalJOBS activity code **215 – Short-Term Pre-Vocational Services** shall be utilized to track this activity.

These services may be provided in-house by Service Provider staff or provided through a contract with another entity[22]. [WIOA, section 134(c)(2)(xii)(VI), NoRTEC Policy]

Stopgap Employment – Stopgap employment means work an individual does only because she/he has lost the customary work for which her/his training, experience, or work history qualifies her/him. Employment would be considered "stopgap" if the salary was substantially below the salary of the individual's primary occupation and/or if she/he is working substantially under the skill level of her/his customary occupation.

There may be times when stopgap employment provides a self-sufficient wage (e.g., contract employment or employment obtained through a temporary services agency). Such employment would not change the individual's dislocated worker status. The determination about whether or not an individual's employment since dislocation is stopgap employment must be made on a case-by-case basis and take into consideration an individual's personal, family, financial, and employment situation. [NoRTEC Policy]

Individuals engaged in stopgap employment are reported as employed on the WIOA Application.[23]

Substantial Layoff – The layoff of 1-499 employees who comprised at least one third of the workforce, or the layoff of 500 or more employees at a single site. [NoRTEC Policy]

Supportive Services – Supportive services are services that enable an individual to participate in WIOA activities. An individual receiving such services must be enrolled in the WIOA program and must also be receiving or have received individualized career services and/or training services. These services include, but are not limited to:

[22] Contracts with other entities must be appropriately procured as outlined in NoRTEC's Procurement Policy.
[23] WSD14-04, WIA Title I Eligibility, see definition of stopgap employment on page 23 of 58.

1. Linkages to community services;
2. Assistance with transportation;
3. Assistance with child care and dependent care;
4. Assistance with housing;
5. Assistance with educational testing;
6. Reasonable accommodations for individuals with disabilities;
7. Legal aid services;
8. Referrals to health care;
9. Assistance with uniforms or other appropriate work attire and work-related tools, including such items as eyeglasses and protective eye gear;
10. Assistance with books, fees, school supplies, and other necessary items for students enrolled in postsecondary education classes; and
11. Payments and fees for employment and training-related applications, tests, and certifications.
    [Regs, 681.570; NoRTEC Policy]

Unemployed Persons – Persons are classified as unemployed if they do not have a job, have actively looked for work in the four weeks prior to application, and are currently available for work. Persons who were not working and were waiting to be recalled to a job from which they had been temporarily laid off are also included as unemployed. [LMID Glossary of Terms: https://www.labormarketinfo.edd.ca.gov/LMID/Glossary_of_Terms.html]

Unlikely to Return to Previous Industry or Occupation – A Dislocated Worker is considered unlikely to return to previous industry or occupation if she/he:

1. Has worked in a declining industry/occupation; or
2. Has worked in an industry/occupation for which there are limited jobs orders in EDD's or other relevant job posting systems; or
3. Can document unsuccessful efforts to obtain employment in the prior industry/occupation; or
4. Is insufficiently educated and/or does not have the necessary skills for reentry into the former industry/occupation; or
5. Has physical or other barriers that would preclude reentry into the former industry/occupation; or
6. Has been profiled/referred by the UI system.

[Regulations, section 680,130; NoRTEC Policy]

Veteran – An individual who served (for at least one day) in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable.

Note: 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.)

[Section 101(2) of title 38, U.S. Code; DOL TEGL 10-09]