

# **Workforce Investment Act**

## **Title IB Eligibility Policy Guide**

Illinois Department of Employment Security  
Workforce Development Bureau  
Job Training Division

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## Summary of Changes to this Guide

- (1) “Work First” language has been removed.
- (2) Page 10, the words “or terminated” were added to the definition of Unlikely to return to prior industry or occupation in points #1, #2 and #3.
- (3) UI Profilees have been added as an additional category of dislocated workers considered to be “unlikely to return” to prior industry or occupation.
- (4) The definition of “in-school youth” has been clarified in Appendix C in question # 16.
- (5) A discussion of the expanded definition of a displaced homemaker is included on page 11.
- (6) The questions and answers of Appendix C have increased in number as a result of comments received by the employment and training community.
- (7) Language comparing the WIA Title I policy to related provisions of JTPA has been removed or simplified.
- (8) Appendix H, Selective Service Policy” has been added.

## Purpose of this Guide

The purpose of this guide is to provide an overview of the participant eligibility requirements for programs funded under Title IB of the Workforce Investment Act, and to provide a description and explanation of certain policy decisions which the State of Illinois has made regarding eligibility for these programs.

This guide presents a summary of requirements drawn from three sources: the statute, the Rule, and the USDOL question and answer series. Local Workforce Area (LWA) staff, one-stop operators, and others who will have responsibility for determining eligibility under Title I should review these sources.

## Participant Eligibility under WIA Title I

**Three types of eligibility: general, fund source and service type.** There are three types of eligibility under Title I of WIA: general, fund source and service type. *General requirements* are those that apply to all persons served by the Title. For WIA, these requirements include authorization to work in the United States, and compliance with

Selective Service registration. *Fund source requirements* depend on which of the three fund sources (youth, adult or dislocated worker) is being used to pay for the customer's services. Another way to think of these requirements is that they are the means by which the statute ensures that the funding streams are kept distinct, i.e., youth funds are spent on youth, etc. Finally, WIA also imposes *service type requirements*. Service type eligibility is used to restrict access to services of greater intensity to those who really need these services to obtain or retain employment.

The organization of this guide follows these three basic eligibility types. A summary of the requirements is provided, and a description of additional policy requirements is provided. The guide concludes with a discussion of other eligibility requirements for Title I, including documentation and participant transfer from JTPA. Appendices at the end of the guide contain reference information. As this manual is revised, it will be reissued in its entirety.

Table 1. provides an overview of the Title I eligibility requirements, and relates the three types of eligibility to each other.

Table 1. Relationship Between Types of Eligibility for WIA Title I.

		Fund Source Requirements		
		Adults	Dislocated Workers	Youth
Service Type Requirements	Self-assisted Core	Must be an Adult (age 18 or greater).		All youth served with youth funds must meet the general eligibility requirements and the requirements of section 101(13). There are no separate service eligibility requirements for youth.
	Staff-assisted Core	Must be an Adult and meet the general eligibility requirements.	Must meet the general eligibility requirements, and the requirements of section 101(9) or 101(10).	
	Intensive	Must meet the above requirements, have received one or more core services, plus meet the requirements of Section 134(d)(3).	Must meet the above requirements, have received one or more core services, plus meet the requirements of Section 134(d)(3).	
	Training	Must meet the above requirements, have received one or more intensive services, plus meet the requirements of Section 134(d)(4).	Must meet the above requirements, have received one or more intensive services, plus meet the requirements of Section 134(d)(4).	

## General Eligibility

**Authorized to work in the United States (Section 188(a)(5)).** Participation in programs and activities or receiving funds under Title I of WIA shall be available to citizens and nationals of United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees (which refers to persons granted temporary permission to live and work in the U.S.), and other immigrants authorized by the Attorney General to work in the United States.

**Compliance with Military Selective Service Requirements (Section 189 (h)).** All males born after December 31, 1959, who have reached age 18, must have complied with the requirements of the Selective Service Act, (50 USC App. 453) i.e., registration with the Selective Service Administration, in order to be eligible for services under WIA. Appendix H provides a detailed discussion of the procedures to ensure compliance with Section 189 (h).

Although these requirements appear as though they apply to anyone receiving services under Title I, USDOL has issued a clarification in response to question regarding these requirements. Only persons who are required to *register* for participation under Title I are subject to the general eligibility requirements. In other words, adults and dislocated workers who receive only self-service and informational core services are not required to demonstrate that they are authorized to work in the US, or in compliance with Selective Service requirements. Youth, who must register due to fund stream eligibility requirements, and adults and dislocated workers receiving services beyond self-service and informational core services, must meet these eligibility requirements. This policy decision by USDOL preserves universal access to core services for adults and dislocated workers.

<b>Fund Source Eligibility</b>
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## Youth Eligibility Requirements

**Overview of Youth Eligibility (Section 101(13)).** In order to be provided services under the youth funding stream, the individual must meet the general eligibility requirements, and be:

1. Age 14 through 21;
2. A *low income individual*;<sup>1</sup> and
3. A person who has one or more of the following barriers to employment:
  - A. *Deficient in basic literacy skills,*
  - B. *A school dropout,*
  - C. *Homeless,*
  - D. Runaway,
  - E. A foster child,
  - F. Pregnant,
  - G. A parent,
  - H. *An offender, or*
  - I. An individual who requires additional assistance to complete an educational program, or to secure and hold employment.

In addition to the above persons, up to five percent of the youth participants served in a local area may be individuals who do *not* meet the income criterion for eligible youth, provided that they are within one or more of the following categories:

- A. *A school dropout.*
- B. *Basic skills deficient,*
- C. One or more grade levels below the grade level appropriate to the individual's age,
- D. *Pregnant.*
- E. *A parent.*
- F. Posses one or more disabilities, including learning disabilities,
- G. *Homeless.*
- H. *Runaway.*
- I. *An offender, or*
- J. Face serious barriers to employment as identified by the Local Board.

These two lists of barriers to employment, the general one for low-income youth, and the list for the five percent exemption, are similar but not identical. In the second list, the repeated items have been underlined.

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<sup>1</sup>Italicized terms are defined in the law or rule, and are included in Appendix A.

**Basic Skills Deficient and Deficient in Basic Literacy Skills.** The definition of *basic skills deficient* is given in section 101(4) of the statute. It includes persons whose reading, writing or computing skills are at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion referenced test. Section 664.205 of the Rule provides that the State or local level may establish the definition of *deficient in basic literacy skills*, but that such definitions must include a determination that an individual:

1. Computes or solves problems, reads, writes or speaks English at or below grade level 8.9, or
2. Is unable to compute or solve problems, read, write or speak English at a level necessary to function on the job, in the individual's family or society.

Congress and USDOL have provided two definitions of very similar concepts, “basic skills deficient” and “deficient in basic literacy skills.” The similarity between these two definitions and the fact that they are both used in determining the eligibility of youth may lead to confusion. Therefore, the State has adopted the language in the Rule as its definition of “deficient in basic literacy skills,” without further elaboration or definition. Local Workforce Investment Boards should develop a definition of this term within the USDOL guidance for use by local case managers and others who will determine eligibility. Anyone who meets the definition of “deficient in basic literacy skills” is to be considered to be “basic skills deficient.”

**Youth Requiring Additional Assistance.** Section 664.210 of the Rule provides that the definition of the phrase “...requires additional assistance to complete an educational program, or to secure and hold employment” may be established at the State or local level. This category is the last of a list of employment barriers provided in Section 101(13)(C), one of which must be met in addition to meeting the low income requirement. A reasonable interpretation of this item is that it is intended to capture any other situation, other than the specific ones listed, which makes the youth at risk of dropping out or failing in the labor market. Therefore, the State has determined that this category is to be defined locally. The Local Boards should develop a definition in order to provide guidance to local case managers and others who will determine eligibility. Case managers should document in the participant file any locally-defined characteristics used as a basis for this barrier category.

**Low Income Youth.** The definition of *low income individual* given in section 101(25) of the statute includes not only persons who qualify on the basis of family income, but also recipients of cash public assistance, Food Stamp recipients, homeless persons, foster children, and persons with disabilities whose own income qualifies them, regardless of the income of other family members.

**May Youth Receive Universal Services through the One-Stop System?** One of the questions regarding services to youth is whether or not youth may receive the “universal” services available to adults and dislocated workers through the One-Stop

system. Section 664.710 of the Final Rule provides that local Boards may provide services to youth who are not eligible under the youth program through the One-Stop centers, but that such services must be funded by programs that are authorized to serve these youth. For example, basic labor exchange activities under the Wagner-Peyser Act may be provided to any youth, as well as basic self-services of the One-Stop. In addition, youth age 18 and older may be served with adult funds.

Since expenditure of youth funds requires determination of eligibility under Section 101(13), all youth served with youth funds will be registered and will count toward the applicable performance outcomes under Title IB of WIA. A complete description of these requirements can be found in PY 1999 WIA Policy Letter No. 2.

### **Adult Eligibility Requirements**

In order to be provided services under the adult funding stream, an individual must be age 18 or older. As discussed above, the general eligibility requirements only apply to those adults who are required to register for services beyond the self-service and informational core services.

The State has previously established policy under the priority service provisions in Section 134(d)(4)(E) of the statute. This policy requires that, in general, the majority of adult funds expended must be for recipients of public assistance and other low-income persons. This requirement can also be met if the majority of persons served are recipients of public assistance or low-income persons.

### **Dislocated Worker Eligibility Requirements**

**Overview of Dislocated Worker Eligibility (Section 101(9)).** In order to be provided services under the dislocated worker funding stream, an individual must, in addition to meeting the general eligibility requirements, fall into one or more of the following four groups:

1. Unlikely to return to prior industry or occupation;
2. Laid off or terminated due to plant closure or substantial layoff;
3. Formerly self-employed but now unemployed; or
4. Displaced homemaker.

The statute and the Rule provide definitions of each of these categories as follows:

1. **Unlikely to return to prior industry or occupation.** This applies to a person who:
  - A. Has been terminated or laid off, or who has received a notice of termination or layoff, from employment;
  - B. (1) Is eligible for or has exhausted entitlement to unemployment compensation; or

- (2) Has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 134(c), 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
  - C. Is unlikely to return to a previous industry or occupation.
- 2. **Laid off or terminated due to plant closure or substantial layoff.** This applies to a person who:
  - A. Has been terminated or laid off, or received a notice of termination or layoff, from employment as a result of any permanent closure of or 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; or
  - C. For purposes of eligibility to receive services other than training services described in section 134(d)(4), intensive services described in section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.
- 3. **Formerly self-employed but now unemployed.** This applies to a person who: Was self employed (including employment as a farmer, a 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.
- 4. **Displaced homemaker.** This applies to: An individual who has been providing unpaid services to family members in the home and who—
  - A. Has been dependent on the income of another family member but is no longer supported by that income; and
  - B. Is unemployed or under employed and is experiencing difficulty in obtaining or upgrading employment.

### **Discussion of Dislocated Worker Eligibility Issues.**

The State is providing additional guidance regarding the definition of several eligibility requirements for dislocated workers. The following section presents a discussion of each of these requirements.

**What constitutes notice of layoff?** The requirements for those who have been laid off or terminated from employment (see number 2 above) also apply to persons who have received general notice of an impending layoff, but who have not yet lost their jobs. Such employees may receive core services only, until the announced closing date is less than 180 days in the future.

For general layoffs, persons are required to receive an individual written notice specifying a layoff or termination date. This could be an individual letter or it could be a list of those to be laid off, produced by the employer. In other words, a general or public announcement of a layoff is not sufficient. For plant closings, a public announcement of a plant closing by the employer is sufficient to support enrollment of employees in core services. Once the announced date for the closing is less than 180 days in the future, all of the services may be provided to these employees. A public announcement of a plant closing must be made by an appropriate representative of the employer, and must include a planned closure date.

**Look back period.** A look-back period limits how long ago someone may have been dislocated and still be considered a dislocated worker. It is based on the idea that there is a period of adjustment, following which it is no longer reasonable to target services to a person as a dislocated worker.

WIA reduces the need for a look-back requirement. Intensive and training services are limited to those dislocated workers who need them in order to obtain or retain employment. Therefore, the need for this eligibility limit is less than it has been under JTPA. Therefore the look-back period for dislocated worker eligibility under Title I has been eliminated. Local WIBs who choose to set such a limit may do so, as a part of their local targeting policy.

**Tenure requirement.** A tenure requirement is part of the definition of dislocated worker, in that it provides for a minimum duration of employment in the occupation or industry of dislocation. WIA Title I section 101(9) makes use of the tenure concept as an alternative to the requirement for UI eligibility (101(9)(A)(ii)). Persons who are eligible for or have exhausted their entitlement to a UI benefit amount meet this requirement. For those who are not eligible to receive a UI benefit, at least six months of employment in the industry or occupation from which the person has been dislocated is required.

**Eligibility for unemployment compensation.** WIA requires that persons who are to be considered unlikely to return to their prior industry or occupation must be eligible for or have exhausted their entitlement to unemployment compensation (101(9)(A)(ii)), or meet the tenure requirement as described above. The classification of persons as eligible for UI is limited to those who have been determined eligible to receive a monetary benefit by the State UI administering agency, or who have been determined by the State UI agency to have exhausted their benefits. Those persons who have not worked in a covered position for sufficient time to be eligible for UI will qualify under the tenure requirement. In addition, persons who may be eligible for UI, but for whom a determination of UI is not yet available, may qualify under the tenure requirement.

**Unlikely to return to prior industry or occupation.** The WIA statute and the Rule do not provide an operational definition of what constitutes unlikely to return to prior industry of occupation. Therefore, the State has defined this phrase to include persons who met one or more of the following conditions:

1. Laid off or terminated from a declining industry, defined as a 3-digit Standardized Industrial Classification (SIC) code category with less than a zero rate of growth as projected,
2. Laid off or terminated from a low growth occupation, defined as any Occupational Employment Statistics (OES) category with an average annual employment growth rate of less than the statewide average growth rate for all occupations,
3. Laid off or terminated from an occupation with fewer than 50 annual job openings on a statewide basis,
4. Have been unemployed for at least 26 weeks and have completed one month of documented job search through the Job Service, or
5. After an assessment of education, skills and work experience, have been determined by the Title IB entity to require additional assistance to qualify for any available openings in the industry or occupation from which the person was laid off, or to obtain employment in another occupation. Such determination must be documented in the person's case file.

A person who met any of the five conditions above would be considered unlikely to return to his or her prior industry or occupation. The determination of criteria one, two and three above will be based on the most recent industry and occupational employment projections information issued by IDES.

**UI Profilees.** According to the Final Rule, acceptance of profiled and referred Unemployment Insurance (UI) claimants as eligible dislocated workers is a decision to be made by the Governor and Local Boards consistent with the definition of WIA Section 101(9). In such instances, no further documentation will be needed to establish the "unlikely to return" criterion of WIA section 101(9)(A)(iii). As a result, acceptance of UI profiling data to prove eligibility for meeting the requirements of 101(9) is the only standard. General eligibility requirements will still apply.

**Termination from employment.** Termination from employment constitutes in involuntary separation from employment. In making the determination as to whether a person has been terminated from employment, the following requirements will apply. Persons who have been determined by the State UI agency to be eligible to receive a UI benefit will always be considered to have been terminated or laid off, i.e., to have been involuntarily separated from employment. Such persons will be eligible dislocated workers under WIA Title I if they meet the other requirements.

Persons who are not eligible to receive a UI benefit due to insufficient covered work experience, must have left their jobs for reasons other than a voluntary departure or retirement. For instance, an employee who accepts an employer incentive to leave prior to receiving a notice of layoff or termination, is not considered to have been laid off or

terminated and is therefore not eligible. Similarly, anyone who retires is not considered to have been terminated or laid off.

**Plant or facility closing and substantial layoffs.** The WARN definitions will continue to be used as the basis for defining terms related to plant closings and substantial layoffs. These definitions are intended to provide a standard means of identifying plant and facility closings, not to create a lower threshold on the size of a plant closing. In addition, the State aligned its definitions with WARN for “facility,” “operating unit,” and “single site of employment.” This was done to ensure that the State’s definition of eligibility corresponded to the requirements for employers to notify employees, local elected officials and the State Rapid Response Unit in the event of a plant closing or substantial layoff covered by WARN.

**Unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters.** The policy for determination of eligibility for the self-employed includes three different situations: 1) formerly self-employed but currently unemployed, 2) self-employed and going out of business, and 3) family member of, or worker for a formerly self-employed individual.

1. Formerly self-employed but currently unemployed includes persons who have lost their businesses due to either natural disasters (with an included list of disasters) or general economic conditions (with a list of events or conditions that could be offered as evidence of poor economic conditions).
2. Self-employed and going out of business includes persons in the process of going out of business (with a list of events or conditions that could be used as evidence of impending business failure).
3. Family member of, or worker for a formerly self-employed individual includes persons who were family members, farm hands or ranch hands of persons in categories (1) and (2), provided that their contribution to the business constituted as least one year of full-time work.

The Title IB entity must document the evidence used to determine that a formerly self-employed person, family member or farm hand falls into one of the above categories.

**Displaced homemaker.** The Department is broadening this definition in response to changing economic and labor force conditions. The Act defines displaced homemaker as “An individual who has been providing unpaid services to family members in the home and who—

- A. Has been dependent on the income of another family member but is no longer supported by that income; and
- B. Is unemployed or under employed and is experiencing difficulty in obtaining or upgrading employment.”

The intent of including displaced homemakers as an additional category of persons who may be served with dislocated worker funds is to permit the inclusion of persons who were dependents because they were homemakers, but who now find themselves facing difficulty obtaining or upgrading employment.

In this context, the phrase “...been dependent on the income of another family member...

“ was originally interpreted to mean *totally dependent*, because the person was working in the home instead of in the paid labor force. However, the law also permits the inclusion of persons who have been primarily dependent on the income of another family member. For example, in a two-income family, wage earners other than the primary earner could be considered to be dependent on the primary wage earner’s income.

In addition, the interpretation of “...is no longer supported by that income...”, has traditionally been intended to apply to situations where the income loss is due to death, divorce, legal separation only. However, there is nothing in the law which restricts the reason for the loss of income to these causes. For example, in a situation where the primary earner has lost his or her job, the spouse could be considered at that point to be a displaced homemaker, if in fact the spouse is also either unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment.

### Service Type Eligibility

The statute imposes additional eligibility requirements for specific services for adults and dislocated workers. These additional restrictions do not apply to persons served under the youth funding stream.

#### **Core Services Eligibility Requirements.**

Core services are described in Section 134(d)(2). These services are available to all adults and dislocated workers as defined above. Adults and dislocated workers receiving staff-assisted core services must be registered and meet the general eligibility requirements.

#### **Intensive Services Eligibility Requirements.**

Intensive services are described in Section 134(d)(3). These services are available to adults and dislocated workers who—

- A. Are unemployed, and
  - (1) Are unable to obtain employment through core services; and
  - (2) Have been determined by a one-stop operator to be in need of more intensive services in order to obtain employment; or
- B. Are employed, but who are determined by a one-stop operator to be in need of more intensive services in order to obtain or retain employment that allows for self-sufficiency.

Section 663.160 (a) of the Rule provides that individuals must receive at least one core service prior to receiving any intensive service, such as initial assessment or job search and placement services. The decision on which core services to provide, and

when, may be made on a case-by-case basis at the local level. Section 663.160 (b) provides that a determination of the need for intensive services may be based on the initial assessment or on the individual's inability to obtain employment through the core services. This determination must be contained in the participant's case file. Section 663.165 provides that there is no Federally-required minimum time period for participation in core services before receiving intensive services.

**Qualifying unemployed persons to receive intensive services.** As stated in the statute, it appears to be more difficult to qualify an unemployed person for intensive services than an employed person. Unemployed persons must not be able to obtain employment through core services, and must be determined to be in need of more intensive services to obtain employment. If "obtain employment" in this requirement is interpreted to mean any employment, including part-time or for minimum wage, then it would be very difficult to qualify a person for intensive services until the person was working. Once the person was working, a more liberal set of criteria can be applied relating to obtaining or retaining employment that leads to self-sufficiency.

Although it is not clear what the intent of the authors of the Act was in this case, it seems unlikely that they intended it to be significantly more difficult to provide intensive services to unemployed persons than those already working. Therefore, the State has defined "obtain employment" for purposes of eligibility for intensive services, to mean *obtain full-time, unsubsidized employment that leads to self-sufficiency*. Unemployed persons should be assessed and a determination made as whether the person will require intensive services to obtain full-time, unsubsidized employment that will lead to self-sufficiency. If so, this determination should be documented in the case file. The determination of what constitutes self-sufficiency should be done in the same manner as is done for employed persons.

The purpose of this guidance is to support the determination of eligibility for intensive services, not to impose a restriction on the types of employment which may be appropriate for customers at the conclusion of the program. This policy is not intended to preclude services leading to part-time employment if the assessment supports this outcome as an appropriate goal for the customer.

**Self-sufficiency Criterion.** Section 663.230 provides that State or local boards must set the criteria for determining whether employment leads to self-sufficiency. At a minimum, such criteria must provide that self-sufficiency means employment that pays at least the lower living standard income level, as defined in Section 101(24) of the statute. The lower living standard income level (LLSIL) refers to an income level established by the Federal government. For a family of two in Chicago, the level is \$16,514. For a family of four it is 27,986. Seventy percent of the LLSIL is used as part of determining "low income" under WIA Title I for youth and priority services for adults. Self-sufficiency for a dislocated worker may be defined in relation to a percentage of the layoff wage.

The State will enforce the regulatory requirement that sets a minimum criterion

based on the lower living standard level, and should support this requirement with the necessary information. LWIBs may set a higher income requirement if they choose to do so. For dislocated workers, LWIBs may define self-sufficiency with respect to a percentage of the wage of the dislocated worker at layoff. Employed persons should be assessed and a determination made as to whether the person will require intensive services to obtain employment that will lead to self-sufficiency, in accordance with the minimum State criteria or local criteria, if higher. If so, this determination must be documented in the case file.

The following operational guidance on the application of the “self-sufficiency” criterion is provided. For unemployed persons, the self-sufficiency criterion is met if either one of the following conditions exists:

1. the person’s most recent employment paid a rate that was below the self-sufficiency level, or
2. based on an assessment of the person’s work history and skill levels, it has been determined that the person will not be able to obtain employment which pays at or above the self-sufficiency level.

For employed persons, the criterion is met if either of the following conditions exists:

1. the person’s current employment pays a rate that is below the self-sufficiency level, or
2. based on an assessment of the person’s work history and skill levels, it has been determined that the person will not be able to retain employment which pays at or above the self-sufficiency level.

In either of the above situations, the self-sufficiency level is based on the income level as established by the LWIB, or the State minimum level if no local level has been set. For adults, this would be an income level established in relation to the lower living standard level. For dislocated workers, the LWIB may establish a level based on a standard percentage of the pre-dislocation wage for the individual.

The purpose of this guidance is to support the determination of eligibility for intensive services, not to impose a restriction on the types of employment which may be appropriate for customers at the conclusion of the program.

### **Training Services Eligibility Requirements.**

Training services are described in Section 134(d)(4). These services are available to employed and unemployed adults and dislocated workers who--

- A. Have met the eligibility requirements for intensive services, have received at

- least one intensive service and who are unable to obtain or retain employment through such services;
- B. After an interview, evaluation or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training services;
  - C. Select a program of training services that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate;
  - D.
    - (1) Are unable to obtain other grant assistance for such services, including Federal Pell Grants established under Title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.); or
    - (2) Require assistance beyond the assistance made available under other grant assistance programs, including Federal Pell Grants; and
  - E. Are determined to be eligible in accordance with the priority system, if any, in effect under Section 134(d)(4)(E).

Section 663.240 (a) of the Rule provides that individuals must receive at least one intensive service prior to receiving any training service, such as development of an individual employment plan or individual counseling and career planning. Section 663.240 (b) provides that a determination of the need for training services may be based on the individual employment plan, comprehensive assessment, or through any other intensive services received. This determination must be contained in the participant's case file. Section 663.250 provides that there is no Federally-required minimum time period for participation in intensive services before receiving training services.

**Qualifying unemployed persons to receive training services.** A literal reading of the language in the statute would suggest that, as in the case of intensive services, a person who was able to obtain any employment after intensive services would not be eligible for training services. However, it does not appear reasonable to interpret the language in this way. The focus of the provision of intensive services is to enable the person to obtain employment that leads to self-sufficiency. Since this is the function of intensive services, it is more reasonable to assume that it is also the intent of training services.

The State has therefore defined "obtain employment" for purposes of eligibility for training services, to mean obtain full-time, unsubsidized employment that leads to self-sufficiency. All persons should be assessed and a determination made as whether the person will require training services to obtain full-time, unsubsidized employment that will lead to self-sufficiency. If so, this determination should be documented in the case file. The determination of what constitutes self-sufficiency should be done in the same manner as is done for intensive services. Therefore, a person who met the requirements for receipt of intensive services, would also meet the requirements for receipt of training services with respect to this criterion, provided that the person had not yet obtained

employment that leads to self-sufficiency.

**Determining whether customers have the skills and qualifications to successfully participate in the selected program of training services.** The requirement under WIA Title I for the use of individual training accounts (ITAs) is intended to promote customer choice by making available to the customer the statewide list of eligible training providers. Customers must be afforded the opportunity to select from the list those programs and providers that will best meet their employment objectives. The intention of training eligibility criterion B above is to ensure that when customers are making these choices, they are choosing a program which they have a reasonable prospect of successfully completing. In order to prepare the customer to make an appropriate selection, a full assessment of the customer's skills is needed, which must be compared to the entry requirements for the program.

Title I grant recipients should work with the One-Stop Operators to ensure that the two key elements needed to satisfy this requirement are available: a comprehensive assessment of each customer seeking training services, and a complete description of the entry requirements for each training program approved under the State's provider certification system.

This policy requirement is not intended to limit access to basic academic skills training, when such is required. It is an appropriate use of training funds to provide basic academic skills training in order to enable customers to meet the entry requirements of a selected training program, if funds are not available from other sources for this purpose.

**Determining whether customers have selected a program which is "...directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate."** This eligibility criterion requires that the customer select a program which is directly linked to employment opportunities either in the local area or in another area to which the individual is willing to relocate. As in the case of the criterion related to the skills necessary to complete the program, this criterion is intended to ensure that customers are choosing training programs which will lead to employment. In order for this requirement to be met, a judgment must be made about whether any program selected by a customer in fact will lead to employment opportunities.

Persons are considered to have met this criterion if one of the following conditions is met:

1. the selected training program is intended to prepare customers for employment in an occupation which has employment growth at or above the average employment growth as projected in the LWA or in another area to which the customer is willing to relocate,
2. an employer has provided a written statement of intent to hire upon successful

completion of the selected training program, or

3. the LWIB has determined that employment opportunities are available in the local area.

**Requirements for coordination of WIA Title I training funds with Pell grants and other forms of grant assistance.** Section 663.320 of the Rule provides that WIA funding for training is limited to participants who are unable to obtain grant assistance from other sources, or who require assistance beyond that available from other sources. Program operators and training providers must coordinate funds available to pay for training to ensure that WIA training funds are used to supplement other sources of training grants such as Pell grants. This section also provides that WIA training funds may be used while a participant's application for a Pell grant is pending. In such cases, the Title IB entity must have made arrangements with the training provider and the participant on the allocation of the Pell Grant. If a Pell Grant is awarded, the training provider must reimburse the Title IB entity the WIA funds used to underwrite the training for the amount the Pell Grant covers, but reimbursement is not required for the portion disbursed to the participant for education-related expenses.

Coordination of grant funds for training must be based on an assessment of the need for WIA Title IB funds. This needs assessment should be based on the total estimated cost of training, including tuition, other education-related expenses, tools, equipment, supportive services and living expenses, as applicable. WIA Title I funds may be used to pay for the portion of these expenses not covered other grant sources.

### Other Eligibility Requirements

**Registration.** Throughout this guide, references have been made to the requirements which apply to those who *register* for services under WIA Title I. Registration is required for most, but not all, services provided under WIA Title I. Persons who are required to register must meet certain eligibility requirements, depending on the fund source used and the type of service to be provided, as described above. In addition, persons who are required to register are included in the group for which the federally-required Title I performance measures apply.

Given these implications of registration, it is important that each LWA and One-Stop operator understand exactly what registration is and when it must be done. In general, USDOL has linked the requirement to register with the requirement to determine eligibility. Section 663.105 of the Rule reads as follows:

When must adults and dislocated workers be registered?

- (a) Registration is the process for collecting information for supporting a determination of eligibility. This information may be collected through methods that include electronic data transfer, personal interview, or an individual's application.

- (b) Adults and dislocated workers who receive services funded under title I other than self-service or informational activities must be registered and determined eligible.
- (c) EEO data must be collected on individuals during the registration process.

In addition to these requirements, USDOL has published a table in its performance measures policy issued on March 3, 2000. This table indicates which services of those listed in Title I require registration, and is duplicated in Appendix b. USDOL has classified certain activities in the list of core services as requiring registration. The basis for doing this is that certain of the core services are staff-assisted, and therefore do not fall into the category of self-service and informational services which are not subject to registration as required in the Rule. In addition, USDOL has that two factors should be considered when determining which specific core services require registration: 1) the level of staff involvement with the customer, and 2) the purpose of the service. Services that involve significant staff time and that are intended to impart job-seeking and or occupational skills to the customer should require registration.

This distinction between two types of core services: self-service and informational vs. staff-assisted, results in a requirement to impose the general eligibility requirements on adults and dislocated workers who receive staff-assisted core services, as described earlier in this guide.

**Service Priorities.** The State has previously issued policy on one of two service priority requirements under WIA Title I, that pertaining to service priority for low income persons and TANF recipients (Section 134(d)(4)(E)). The other priority requirement is found in Section 129(c)(4), which requires that at least 30 percent of the Title I funds allocated to a local workforce investment area for youth be used to provide youth activities to *out-of-school youth*. Section 101(33) defines *out-of-school youth* as an eligible youth who:

1. Is a *school dropout*, which is defined in Section 101(39) as an individual who is no longer attending any school (grade school or high school) and who has not received a secondary diploma or its recognized equivalent, or
2. Has received a secondary school diploma or its equivalent but is *basic skills deficient, unemployed* or under employed.

The State of Illinois is making the following definition for in-school youth: an individual 14 through 21 years of age at time of enrollment into WIA whose highest grade level completed is less than or equal to the 11<sup>th</sup> grade, has no GED and enrolled/attending school as “yes”. There is also a definition for out-of-school youth. That definition is contained in this paper along with a description of the 30% spending requirement.

WIA provides a definition of basic skills deficient and unemployed, but does not define

under employed. Under WIA, this term will be defined in a manner consistent with the definition of self-sufficiency for adults and dislocated workers for intensive services, i.e., persons employed but earning less than the lower living standard income level are considered to be under employed. In addition, a youth who was working on a part-time basis could be considered to be under employed.

**Needs Related Payments (Section 134(e)(3)).** Adult and dislocated worker funds may be used to provide needs-related payments to adults and dislocated workers in order to enable them to participate in training services. For adults, these payments are restricted to persons who are unemployed and do not qualify (or have ceased to qualify) for unemployment compensation.

Dislocated workers must meet the following special eligibility requirements for receipt of needs-related payments:

- A. Be unemployed and:
  - 1) Have ceased to qualify for unemployment compensation or trade readjustment assistance under TAA or NAFTA-TAA; and
  - 2) Be enrolled in training services by the end of the 13th week after the most recent layoff that resulted in the worker being found eligible as a dislocated worker, or if later, by the end of the 8th week after the worker is informed that a temporary layoff will exceed six months; or
- B. Be unemployed and did not qualify for unemployment compensation or trade adjustment assistance under TAA or NAFTA-TAA.

The level of payment for adults must be set by the Local Board. For dislocated workers, the level of payment cannot exceed the greater of the applicable level of unemployment compensation or an amount equal to the poverty level for an equivalent period. The weekly payment amount shall be adjusted to reflect changes in total family income as determined by Local Board policies.

**Documentation.** The State will continue to require documentation on a universal basis, pending further guidance from USDOL and additional consultation with the Title I grant recipients. Given the long-standing history of USDOL requirements related to documentation, the State views its documentation policy as an interim policy, pending further guidance from USDOL. The State has adopted the contents of the JTPA documentation TAG as it relates to the eligibility criteria under Title I. For criteria not covered in the TAG, the State has established a list of acceptable documents, which is included in Attachment F. This list will be reviewed with the local Title I grant recipients and other partners and may be amended. For intensive and training eligibility for adults and dislocated workers, documentation is to be based primarily on the results of the customer's assessment.

**Program Exit and Re-enrollment.** The USDOL WIA Title I performance management regulations defines exiter as a person who has completed the program, has been inactivated,

or who has gone for 90 days without receiving any WIA funded or partner-funded services, and who is not scheduled for any services in the future, except for follow-up services. Under WIA Title I, clients will be counted as having exited the program unless services are currently being received, have been received within the last 90 days, or are scheduled to be received in the future.

Exit status has significance for performance measurement purposes, because exit triggers the measurement of the client outcomes, such as employment, employment retention and earnings increase. Exit status also has significance for eligibility determination, because a client who has exited and later returns for additional services funded from Title I must be determined eligible again based on his or her current characteristics.

**Continuous enrollment and reentry under Title I.** Only customers who are no longer receiving services under any WIA fund source (or a partner fund source if such information is available to the case manager) would be considered to have exited the Title I program. What this means is that a customer can move from title to title within WIA without having to be redetermined eligible, as long as there is no gap in service, and as long as the customer was originally eligible for any Title into which the customer is enrolled. The one exception to this arrangement is the programs with an age restriction. Age requirements must always be met based on the age of the client at the time of enrollment in the applicable program.

**JTPA to WIA Transition.** All participants who were enrolled under JTPA remain eligible for services under WIA and may complete their JTPA service strategy without interruption, even if that service strategy is no longer allowable under WIA, or if the participant is not eligible under WIA. JTPA participants who have been assessed and have a service strategy developed must be allowed to continue as participants under WIA, whether or not they have actually begun any activity. Those individuals who are enrolled, but not assessed, may be assessed and a strategy developed. The services that will be available under WIA should be considered in developing this strategy, if appropriate. Once WIA is implemented, new participants are subject to the WIA requirements.

Illinois has submitted a transition plan to commence youth services under Title I effective April 1, 2000, and therefore WIA Title I and JTPA will run concurrently through June 30, 2000. From April 1 through June 30, 2000, youth may be served under either JTPA or WIA Title I, or coenrolled in both programs. Youth who are participants in JTPA as of June 30 will be "grandfathered" (i.e., transferred into the WIA youth program without having to meet any WIA eligibility requirements) effective July 1, 2000.

Adults and dislocated workers who are participants in JTPA Titles IIA, IIO and III as of June 30, 2000 will become WIA Title I participants in the applicable fund source program (Adult in the case of IIA and IIO, and Dislocated Worker in the case of III).

States and local areas may not impose limitations on the services that a participant who is grandfathered into WIA may receive, as long as those services are provided for in the person's service strategy, and the strategy remains unchanged. If there is a substantial change in the participant's individual service strategy, after the State has made the shift to WIA, the

individual would come under WIA rules including those pertaining to priority for service and eligibility for intensive and training services.

Current training providers can continue to provide services for the duration of the scheduled plan for grandfathered participants, regardless of whether the provider has been designated under WIA as an eligible training provider. This is consistent with the requirement that services be continued for grandfathered participants in an uninterrupted manner. In addition, providers not currently certified under WIA may provide services to grandfathered participants as long as this is done in order to permit continuation of a training program begun under JTPA.

Participants under the 8% Education Coordination and Grants program under JTPA who were on-board as of June 30, 2000 were grandfathered into WIA Title 1, and became the responsibility of the local area in which they are currently receiving services. Like other JTPA participants, they must be afforded the opportunity to complete their service plans.

**Responsibilities for Disallowed Costs.** According to section 667.705 (b) of subpart G of the August 11, 2000 Federal Register, "The political jurisdiction(s) of the chief elected official(s) in a local workforce investment area is liable for any misuse of the WIA grant funds allocated to the local area under WIA sections 128 and 133, unless the chief elected official(s) reaches an agreement with the Governor to bear such liability".

## Appendix A.

### Definitions Related to Eligibility from Title I of WIA

*Basic skills deficient*, as defined in section 101 (4): --The term "basic skills deficient" means, with respect to an individual, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test.

*Deficient in basic literacy skills*: Section 664.205 of the Rule provides that the State or local level may establish the definition of *deficient in basic literacy skills*, but that such definitions must include a determination that an individual:

1. Computes or solves problems, reads, writes or speaks English at or below grade level 8.9, or
2. Is unable to compute or solve problems, read, write or speak English at a level necessary to function on the job, in the individual's family or society.

*Foster child*: is a minor on behalf of whom State or local government payments are made to a foster parent or other guardian.

*Homeless person:* is an individual who lacks a fixed, regular or adequate nighttime residence; and an adult or youth who has a primary nighttime residence that is a public or privately operated shelter for temporary accommodation; an institution providing temporary shelter or a place not designed for or ordinarily used as a regular sleeping accommodation for human beings. The term does not include a person imprisoned or detained pursuant to an Act of Congress or State law. (as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

*In-school youth.* Is an eligible youth who:

1. Has no GED; and,
2. Is enrolled/attending school; and,
3. Whose highest Grade Level Completed is less than or equal to 11.

*Low income individual:* --The term "low-income individual" means an individual who--

(A) receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;

(B) received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of--

(i) the poverty line, for an equivalent period; or

(ii) 70 percent of the lower living standard income level, for an equivalent period;

(C) is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);

(D) qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

(E) is a foster child on behalf of whom State or local government payments are made; or

(F) in cases permitted by regulations promulgated by the Secretary of Labor,

is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

*Offender.* Any adult or juvenile--

(A) who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; or

(B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

*One or more grade levels below the grade level appropriate to the individual's age:* is defined based on the following relationship between age at registration and highest school grade completed:

If the customer's age at registration is	The customer is behind grade level if the highest grade completed is less than:
14	7
15	8
16	9
17	10
18	11
19	12

*Out-of-school youth:* is an eligible youth who:

1. Is a *school dropout*, which is defined in Section 101(39) as an individual who is no longer attending any school (grade school or high school) and who has not received a secondary diploma or its recognized equivalent, or
2. Has received a secondary school diploma or its equivalent but is *basic skills deficient, unemployed* or under employed.

*Runaway:* is defined as a person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of parent or legal guardian (JTPA definition).

*School dropout:* an individual who is no longer attending any school and who has not received a secondary diploma or its recognized equivalent.

*Posses one or more disabilities, including learning disabilities:* --The term "individual with a disability" means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)).

*Work experience:* for purposes of defining intensive services, work experience is a planned, structured learning experience that takes place in a workplace for a limited amount of time. Work experience may be paid or unpaid, as appropriate. A work experience workplace may be in the private for profit sector, the nonprofit sector or the public sector.

Appendix B.  
Services Requiring Registration under WIA Title 1

Fund Source	Service Type and registration requirement	Description
Youth	Registration is required for for all youth services	All Services
Adult and Dislocated Workers	Self-assisted and informational Core Services for which registration is <b>not</b> required	Determination of eligibility to receive services under Title 1B
		Outreach, intake (which may include profiling) and orientation to IETC offices and programs
		Initial assessment of skill levels, aptitudes and abilities and need for supportive services
		Employment statistics information including job vacancy listings, job skill requirements for job listings, & information on demand occupations
		Performance information about eligible training providers and the local one-stop delivery system
		Information on support services and referral to support services
		Information regarding filing for Unemployment Insurance
		Assistance in establishing eligibility for Welfare to Work activities and training and education programs
		Resource room usage, including Internet job search
		Internet accounts (Career Kit, Personnel Kit)
		Self-service access to job vacancy listings
		Initial development of employment plan
		Talent referrals (informational, e.g., talent scouts, labor exchange referrals of resumes without further screening)
		Workshop and job clubs
	Staff-assisted core services for which registration is required	Follow-up services including counseling regarding the workplace
		Staff-assisted job search and placement assistance, including career counseling
		Individual job development
		Staff-assisted job referral services (testing and background checks done before referral or when operating as an employer's agent)

		Staff assisted workshops and job clubs
Fund Source	Service Type and registration requirement	Description
	Intensive services (registration is required)	Comprehensive and specialized assessment, including diagnostic testing and interviewing
		Full development of individual employment plans
		Group counseling
		Individual counseling and career planning
		Case management
		Short-term pre-vocational services
		Follow-up services after entering employment, including counseling for registrants previously receiving intensive or training services
	Training services (registration is required)	Occupational skills training
		On the job training
		Workplace training and cooperative education programs
		Private sector training programs
		Skill upgrading and retraining
		Entrepreneurial training
		Job readiness training
		Adult education and literacy activities in combination with training
Customized training		

## Appendix C

### Questions and Answers About WIA Title I Eligibility

The following is a compilation of questions and answers from the training sessions on WIA Title eligibility and other sources. This document will be updated periodically.

1. **How will the TRAC system address the LWA option of "look back period" for Dislocated Workers?**

Local Boards may adopt a "look back period" as part of their targeting policy for dislocated workers. The TRAC system will not address these local requirements.

2. **Will there be a flag on TRAC - Work History for "self-sufficiency" to qualify a customer for intensive training?**

A new form will be added to the Eligibility section of the Background record. This form will contain new WIA criteria related to the eligibility of registrants for intensive and training services. See Appendix D for related TRAC forms.

3. **How will TRAC treat OES codes that are low growth in one LWA and high growth in another LWA; e.g., Computer Operator is low-growth in Pekin and high growth in Peoria?**

The employment growth rate of Occupational Employment Statistics (OES) codes is used in two ways in determining eligibility. It is used as part of the determination of "unlikely to return" for dislocated workers, and it is used as part of the criteria for entry into training services for adults and dislocated workers. For dislocated workers, these growth rates will be used in the same manner as they were in JTPA Title III. If a person has been dislocated from an occupation which is low-growth in either the State or in the LWA, they will qualify. The TRAC system will continue to maintain OES low-growth tables to satisfy this requirement.

For eligibility for training, a person must have selected an occupation which is in demand either in the local area or in another area to which the person is willing to relocate. The TRAC system will not use OES tables to check this criterion. The current edition of the LWA-level occupational employment projections should be referenced by staff to verify this criterion. Persons may also qualify under this criterion if they have a written offer of employment or if the LWIB has determined that employment opportunities are available. s

4. **Under dislocated worker eligibility, the State has defined "eligible for UI" as a person who has been determined eligible to receive a UI benefit by the State UI agency (IDES). What about situations where the UI benefit determination is**

**done by another State or if the person's UI is administered by another system (such as railroad workers)?**

The definition of eligible to receive UI includes those determined to be eligible to receive a benefit by a UI agency in another State as well as those determined eligible through another system, such as the Railroad Retirement System.

**5. Does PELL policy apply to youth?**

Not as a requirement related to eligibility. The requirements for coordination of the PELL (and other sources of grant funding) with Title I training funds is a requirement that applies to training funded with adult or dislocated worker funds.

**6. Will TRAC providers be "grandfathered" into WIA?**

No. Only JTPA participants are "grandfathered" into WIA Title I. If a person is enrolled in a training program on June 30, 2000, he or she may complete that program, whether or not the training program is approved under the provider certification system. The program could continue to train whoever was enrolled under JTPA, but it could only accept new ITA funded students if it is an approved provider. A grandfathered person may continue service in a different provider, including a provider not certified under Section 122, as long as the training program in which the person is enrolled is not changed. This is consistent with the guidance from USDOL, that the requirements under JTPA continue to govern such a client's participation in the program as long as there is not a substantial change to the individual's service strategy.

**7. What is the definition of "Learning Disabilities?"**

The Individual with Disabilities in Education Act (IDEA) specifically addresses the definition of a learning disability. ILCS 5\14-1.03 defines an individual with a learning disability as "an individual deficient in one or more of the basic psychological processes in understanding or using language, spoken or written that may manifest itself in an imperfection to listen, think, speak, read, write, spell or do math calculations including such conditions as perceptual disability, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. This term does not include learning problems as a result of visual, hearing or motor disabilities, of mental retardation, of emotional disturbance or of environmental, cultural or economic disadvantage".

**8. Is the Customer Background/ Income Source a required form for adults? For dislocated workers? If a LWA receives a waiver of the 51% low income/TANF service priority target, is this form still required?**

The income form is only needed for instances where it is desirable to qualify an adult as low-income, and qualification cannot be done through the other low-income criteria, such as TANF reciprocity. "Low-income" under WIA Title I corresponds to "Economically Disadvantaged" under JTPA.

9. **How will TRAC account for core services provided by partners?**

The TRAC system will collect information on the core services received by Title I customers. A simple core services form will be included in the case management background area to permit collection of this information for core services where registration is not required. For those core services where registration is required (see Appendix B), entry of a training/service record is required to record these services. For purposes of eligibility for intensive and training services under Title I, it is not required that the core services previously received be funded by Title I.

10. **Are Census workers (Government Workers) that may have worked for six months eligible as dislocated workers?**

The same eligibility criteria apply to Census workers as apply to any other registrant.

11. **How do incumbent workers become eligible in TRAC?**

It is assumed that this question refers to the eligibility requirements for intensive and training services for adults and dislocated workers. Persons who are employed at registration may qualify for these services if they need them in order to retain employment that leads to self-sufficiency, as defined by the LWIB, and meet the other requirements of Sections 134(d)(3) for intensive services and 134(d)(4) for training services. See question 2 above for a discussion of where on the TRAC record this information is recorded.

12. **Does intervening employment accepted for purposes of income maintenance any longer affect eligibility of dislocated workers?**

Persons who have been employed since their dislocation are not treated any differently with respect to eligibility as a dislocated worker than someone who has been unemployed since dislocation. The employment experience of a person subsequent to their dislocation may have a bearing on the person's eligibility for intensive or training services, however.

13. **In reference to the WIA Basic description form in the section identifying "Disability Status", does "disability affecting employment" and "learning disability" differ in that the former applies to those in or who have been in the workforce, and the latter applying to those who are not in labor force? Can**

**both categories be checked as applicable?**

See the definition of learning disability above. Under the USDOL reporting requirements, you must select which one of these categories most accurately describes the customer's overall situation.

**14. Under the expanded definition for displaced homemaker found on page 11 of the guide, can the loss of income of the primary earner be due to the primary earner being called to active military duty?**

Yes, if the duty is of indefinite duration, or is expected to last more than three months.

**15. How do we document the income of a self-employed person?**

Given the nature of self-employment income, documentation must rely primarily on documents or attestation provided by the applicant. The USDOL Documentation Technical Assistance Guide offers little guidance on this matter. The following are acceptable forms of documentation:

- A statement from the applicant attesting to the income from self-employment sources.
- Quarterly or annual tax returns covering the applicable six-month period for income determination.
- A quarterly statement of net income from an accountant.

**16. If a youth is 16 at time of application and is married, do we still need parental signature on eligibility documents?**

Unless this youth is legally emancipated from his/her parent(s) a signature of the parent is still required.

**17. In the instance where a minor is applying for Workforce Investment Act services and there is no parent or guardian to affix their co-signature, who can sign as a parent or guardian?**

This presumes all reasonable attempts have been made to secure a co-signer and have met with failure. A responsible adult in the life of the minor will have to suffice. This could be a grandparent who has no legal guardianship but provides room and board to his/her grandchild. Other examples could be a religious person currently familiar with the family history of the minor or a sibling who him/herself is not a minor.

**18. If a minor is living with a relative who is not a legal guardian of the minor, how do you deal with the income of that relative or relatives?**

If the relative who is not a legal guardian of the minor attests in writing that (s)he provides only room and board to the minor and no other type of financial consideration to the minor is provided, then the income of the relative is not considered as includable income and is therefore excluded for purposes of determining low income status for the minor.

**19. In the definition of “unlikely to return to prior industry or occupation”, you added the words “or terminated” to points 1, 2 and 3. Why is that?**

Since the release of PY 00 WIA Policy Letter No. 012, grantee staff have requested such wording for clarification purposes. This revision now fulfills their request.

**20. What are the procedures for declaring an industry or occupation as declining if TRAC does not make such a determination?**

Evidence of declining industry or declining occupation has to be documented. The documentation and such a written request is to be sent to:

Illinois Department of Employment Security  
Tim Harmon, Chief  
Office of Performance Standards and Assessment  
325 West Adams, 3<sup>rd</sup> Floor  
Springfield, Illinois 62704

**21. The October 30, 2000 version of PY 00 WIA Policy Letter No. 012 contained language regarding “work first” as a concept for eligibility. This version does not contain such language. Why is that?**

In Training and Employment Guidance Letter No. 21-00 dated May 2, 2001 from the USDOL, the Federal government has questioned the use of “work first” language in WIA. It has been stated WIA was never envisioned as a “work first” program such as was the case for Welfare-to-Work. In response to this guidance, we have removed any references to “work first”. “Work first” has never been considered a criterion of eligibility.

There is not, nor has there ever been any requirement in WIA Title I that a customer must work as a condition of becoming eligible for any program. Nor is there a requirement in the law or State policy that a customer must spend any amount of time in job search activities as a condition of qualifying for intensive or training services. In fact, the State has designed its policy and procedure in such a way that customers can be determined eligible for intensive and training services and moved immediately to an appropriate training intervention, after determination of eligibility and an assessment have

been completed.

**22. In determining the “low income” status of the individual, a client presents only one pay stub as documentation during the past six months prior to his/her application to WIA. How can I determine if they are eligible due to income below the poverty line or below 70 percent of the lower standard income level, in relationship to the family size based upon that one pay stub? Or more accurately, should I rely on that one pay stub?**

At first glance, relying on a single pay stub for documentation of low income status would appear to be insufficient. A reasonable attempt to obtain collaborating documentation must be made and noted in the customer’s case notes. This could be through the Department’s monetary determination (MONDET) system but that is not always practical given the normal time elements of having the data on the system. A reasonable attempt through the employer is another option but not always practical.

Given the fact that not all circumstances can be dealt with in this Appendix, a prudent strategy would employ a written and signed self-attestation on the part of the customer stating to the fact that his/her income during the past six months was at such and such an amount. Coupled with this strategy is a local policy that makes the customer aware that upon availability a review of his/her records on the Department’s MONDET system will be made to determine if the information provided by the customer is not in conflict with that written and signed self-attestation. If MONDET indicates the amount of earnings solidifies the customer’s “low income status” but is not 100% accurate, the customer must be allowed to continue his/her WIA participation. If the opposite is true, in other words, the customer’s income during the past six months prior to application was above the amount to consider him/her “low income eligible”, the customer must be immediately terminated from further WIA participation and any direct costs paid on his behalf must be refunded to the Title 1B entity. This description must also be part of a Title 1B operator’s policy and made known to the customer.

## **APPENDIX E**

### WIA Title 1 Eligibility Checklists

The following is not a requirement but rather a recommended checklist to be used during the eligibility determination process.

**ELIGIBILITY CHECKLIST FOR STAFF-ASSISTED SERVICES UNDER WIA TITLE I**

**Name of Customer:** \_\_\_\_\_

**Date of Registration:** \_\_\_\_\_

**Age Group:**       An adult age 18 or older      YES       Doc  NO

**Generality Eligibility:**

Authorized to work in the U.S.      YES       Doc  NO

and,

If a male and born after December 31, 1959, compliant with Military  
Selective Service Requirements.

YES       Doc  NO

**END OF PAGE**

**ELIGIBILITY CHECKLIST FOR DISLOCATED WORKER FUNDING UNDER WIA TITLE I**

Name of Customer: \_\_\_\_\_

Date of Registration: \_\_\_\_\_

**Met one of the following requirements of Section 191(9) or 101(10)**

YES  Doc  NO

**UNLIKELY TO RETURN**

**A.** Has been terminated or laid off, or who has received a notice of termination or layoff, from employment.  
YES  Doc  NO  N/A

**B.** 1. Is eligible for or has exhausted entitlement to unemployment compensation. YES  Doc  NO  N/A

or

2. Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation. YES  Doc  NO  N/A

**C.** Is unlikely to return to a previous industry or occupation.  
YES  Doc  NO  N/A

1. Laid off from a declining industry, defined as a 3-digit Standardized Industrial Classification (SIC) code category with less than a zero rate of growth as projected.  
YES  Doc  NO  N/A

2. Laid off from a low growth occupation, defined as any Occupational Employment Statistic (OES) category with an average annual employment growth rate of less than the statewide average growth rate for all occupations.  
YES  Doc  NO  N/A

3. Laid off from an occupation with fewer than 50 annual job openings on a statewide basis. YES  Doc  NO  N/A

4. Have been unemployed for at least 26 weeks and have completed one month of documented job search through the Job Service.

YES  Doc  NO  N/A

5. After an assessment of education, skills and work experience, have been determined by the Title IB entity to require additional assistance to qualify for any available openings in the industry or occupation from which the person was laid off, or to obtain employment in another occupation. Such determination must be documented in the person's case file.

YES  Doc  NO  N/A

### **PLANT CLOSURE OR SUBSTANTIAL LAYOFF**

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.

YES  Doc  NO  N/A

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

YES  Doc  NO  N/A

C. For purposes of eligibility to receive core services, is employed at a facility at which the employer has made a general announcement that such facility will close;

YES  Doc  NO  N/A

### **SELF-EMPLOYED**

Was Self-employed (including employment as a farmer, a 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.

YES  Doc  NO  N/A

or;

### **DISPLACED HOMEMAKER**

Is a displaced homemaker who has been providing unpaid services to family members in the home and who –

has been dependent on the income or another family member but is no longer supported by that income; and

YES  Doc  NO  N/A

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

YES  Doc  NO  N/A

**END OF PAGE (TWO OF TWO)**

**ELIGIBILITY CHECKLIST FOR INTENSIVE SERVICES WIA TITLE I**

**Name of Customer:** \_\_\_\_\_

**Date of Registration:** \_\_\_\_\_

**(Adult)**

**(Dislocated Worker)**

**A. Received one or more of the following core services:**

YES  NO

Please indicate which core services were received: \_\_\_\_\_

\_\_\_\_\_

plus

**B. Met the requirements of Section 134(d)(3).**

YES  Doc  NO

as follows:

(i) (I) who are unemployed and are unable to obtain employment through core services provided above; and

YES  Doc  NO

(II) who have been determined by a one-stop operator to be in need of more intensive services in order to obtain employment; or

YES  Doc  NO

(ii) who are employed, but who are determined by a one-stop operator to be in need of such intensive services in order to obtain or retain employment that allows for self-sufficiency.

YES  Doc  NO

**END OF PAGE**

**ELIGIBILITY CHECKLIST FOR INTENSIVE SERVICES WIA TITLE I**

Name of Customer: \_\_\_\_\_

Date of Registration: \_\_\_\_\_

**(Adult)**

**(Dislocated Worker)**

**A. Received one or more of the following intensive services:**

YES  NO

Please indicate which core services were received: \_\_\_\_\_

\_\_\_\_\_

plus

**B. Met the requirements of Section 134(d)(4):**

YES  Doc  NO  N/A

(i) who have met the eligibility requirements for intensive services under paragraph(3)(A) and who are unable to obtain or retain employment through such services.

YES  Doc  NO  N/A

(ii) who after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training services.

YES  Doc  NO  N/A

(iii) who select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults or dislocated workers receiving such services are willing to relocate.

YES  Doc  NO  N/A

(iv) for whom other grant funds such as Pell grant are not available or are inadequate to cover the training expense.

YES  Doc  NO  N/A

**END OF PAGE**

**ELIGIBILITY CHECKLIST FOR ADULTS AS LOW INCOME INDIVIDUALS FOR TARGETING PURPOSES UNDER WIA TITLE I**

**Name of Customer:** \_\_\_\_\_

**Date of Registration:** \_\_\_\_\_

**Low Income**  YES  Doc  NO  N/A

**Receives cash public assistance program?** YES  Doc  NO  N/A   
*or*

**family income for last six months does not exceed higher of –**

**the poverty line, for an equivalent period: or**

**70 percent of the lower living standard income level, for an equivalent period:**

YES  Doc  NO  N/A

*or*

**receives food stamps (or is eligible to received them):**  
YES  Doc  NO  N/A

*or*

**Qualifies as a homeless individual, as defined in the Stewart B. McKinney Homeless Act:**  
YES  Doc  NO  N/A

*or*

**Is a foster child on behalf of whom the State or local government payments are made:**  
YES  Doc  NO  N/A

*or*

**Is a disabled person counted as a family of one.**  
YES  Doc  NO  N/A

**END OF PAGE**

**ELIGIBILITY CHECKLIST FOR YOUTH WIA TITLE I**

**Name of Customer:** \_\_\_\_\_

**Date of Registration:** \_\_\_\_\_

**A. Age Group:**       An youth age not less than 14 and not more than 21:

YES       Doc  NO

**B. Authorized to work in the U.S.** YES       Doc  NO

and,

If a male, 18 years of age or older and born after December 31, 1959, compliant with Military Selective Service Requirements:

YES       Doc  NO

**C. A low income individual:**      YES       Doc  NO

and,

**D. Met one of the following requirements of section 101(13)(C):**

- (i) Deficient in basic literacy skills.
- (ii) A school dropout.
- (iii) Homeless/a runaway or/a foster child.
- (iv) Pregnant or a parent.
- (v) An offender.
- (vi) An individual who requires additional assistance to complete an educational program, or to secure and hold employment.

Describe which subsection of 101(13) was met: \_\_\_\_\_

YES       Doc

**ELIGIBILITY CHECKLIST FOR YOUTH 5% WINDOW WIA TITLE I**

**Name of Customer:** \_\_\_\_\_

**Date of Registration:** \_\_\_\_\_

**A. Age Group:**  An youth age not less than 14 and not more than 21:  
YES  Doc  NO

**B. Authorized to work in the U.S.** YES  Doc  NO

and,

If a male, 18 years of age or older and born after December 31, 1959, compliant with Military Selective Service Requirements:

YES  Doc  NO  N/A

and,

**C. Met one of the exceptions of 129(c)(5):**  
YES  Doc  NO

- (A) Individuals who are school dropouts.
- (B) Individuals who are basic skills deficient.
- (C) Individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individuals.
- (D) Individuals who are pregnant or parenting.
- (E) Individuals with disabilities, including learning disabilities.
- (F) Individuals who are homeless or runaway youth.
- (G) Individuals who are offenders.
- (H) Other eligible youth who face serious barriers to employment as identified by the local board.

**Describe which exception of 129(c)(5) was met:** \_\_\_\_\_

**END OF PAGE**

## **Appendix F**

### **Documentation Sources**

The following report lists all of the permitted sources of documentation for each of the eligibility criteria.

**CRITERIA      SUB-CRITERIA      Documentation Description****Age 14 - 21 at Enrollment**

Birth Certificate  
 Drivers License  
 School Records/Identification Card  
 Public Assistance/Social Service Records  
 Federal, State or Local Government Identification Card  
 Baptismal Certificate (If Place of Birth is Shown)  
 DD-214/Report of Transfer or Discharge  
 Hospital Record of Birth  
 Passport  
 Workers Compensation Record  
 Illinois Secretary of State Issued State of Illinois Identification Card

**Age 18 + at Enrollment**

Birth Certificate  
 Drivers License  
 School Records/Identification Card  
 Public Assistance/Social Service Records  
 Federal, State or Local Government Identification Card  
 Baptismal Certificate (If Place of Birth is Shown)  
 DD-214/Report of Transfer or Discharge  
 Hospital Record of Birth  
 Passport  
 Workers Compensation Record  
 Illinois Secretary of State Issued State of Illinois Identification Card

**Authorized to Work in United States**

Birth Certificate  
 Naturalization Certification  
 Hospital Record of Birth  
 Work Experience Records/Pay Stub  
 Public Assistance Records/Printout  
 USDOL Documentation Technical Assistance Guide p.II-2  
 Department of Human Services Records  
 Alien Registration Card indicating Right to Work (INS Forms I-151, I-551, I-94, I-688A, I-197, I-179)  
 Baptismal Certificate (If Place of Birth is Shown)  
 DD-214/Report of Transfer or Discharge  
 Food Stamp Records  
 Foreign Passport Stamped Eligible to Work  
 Passport  
 IDES UI Information (UI Claimants Only)

**Behind Grade Level**

School Records/Identification Card  
 Test Results

**Cash Welfare Recipient**

Medical Card Showing Cash Grant Status  
 Public Assistance Records/Printout  
 Copy of Public Assistance Check  
 Copy of Authorization to Receive Cash Public Assistance  
 Public Assistance Identification showing Cash Grant Status  
 Refugee Assistance Records

**Completed at least one month of job search**

Job Service Documents

**Compliant with Selective Service Requirements**

Selective Service Registration Card  
 Selective Service Verification Form  
 Stamped Post Office Receipt of Registration

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
<b>Compliant with Selective Service Requirements</b>		DD-214/Report of Transfer or Discharge Contact the Selective Service at 847-688-6888 Selective Service Registration Record (Form 3A) Acknowledgment Letter SDA/State Registration Process Selective Service Advisory Opinion Letter Selective Service Website
<b>Customer Requires Additional Assistance to Obtain Employment</b>		Case Note or Participant's File for Record
<b>Declining Industry</b>		Work History IDES UI Records Employer Statement/Contact
<b>Deficient in Basic Literacy Skills</b>		School Records/Identification Card Test Results
<b>Displaced Homemaker</b>		Court Records Layoff Notice/Business Closure
<b>Eligible for UI</b>		IDES Records or other State's UI Records
<b>Enrolled Under Youth Five Percent Window</b>		Local Identified Barrier or 5% Window Barrier
<b>Exceeded TANF Duration Limit</b>		Department of Human Services Records
<b>Faces Serious Barriers to Employment as Defined by LWIB</b>		Local Workforce Investment Board Definition
<b>Family Member or Farmhand</b>		Payroll Records Tax Records Applicant Statement (See Part III)
<b>Food Stamp Recipient</b>		Food Stamp Card with Current Date Public Assistance Records/Printout Letter from Food Stamp Disbursing Agency Authorization to Obtain Food Stamps Postmarked Food Stamp Mailer with Applicable Name and Address Food Stamp Receipt
<b>Foster Child</b>		Court Contact Court Documentation Medical Card Verification of Payments made on Behalf of the Child Written Statement from State/Local Agency
<b>Homeless</b>		Applicant Statement (See Part III) Written Statement from an Individual Providing Temporary Residence

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
<b>Homeless</b>		Written Statement from Shelter
		Written Statement from Social Service Agency
<b>In Need of Intensive Services</b>		Case Note or Participant's File for Record
<b>In Need of Training Services</b>		Case Note or Participant's File for Record
<b>In Process of Going Out of Business</b>		Notice of Foreclosure
		Bankruptcy Proceedings
		Inability of the Applicant to make payments on Loans
		Inability to Obtain Capital
		Debt to Asset Ratio
		Other Events Indicative of Likely Insolvency
<b>JTPA/WIA Income Eligible</b>		
	County of Residence	Drivers License Public Assistance Records/Printout Food Stamp Award Letter Utility Bill Landlord Statement Applicant Statement (See Part III) Computer Printout from other Government Agencies Homeless (See Requirements for Homeless Individuals) Housing Authority Verification Insurance Policy (Residence or Auto) Lease Letter from Social Service Agency or School Library Card Medicaid/Medicare Card Phone Directory Postmarked Mail Addressed to Applicant Property Tax Record Rent Receipt School Identification Card Selective Service Registration Card Work Experience Records/Pay Stub
	Number of Persons in Family	Birth Certificate Medical Card Landlord Statement Public Assistance/Social Service Records Disabled (See Individuals with Disabilities) Applicant Statement (See Part III) Decree of Court Divorce Decree Lease Marriage Certificate Most Recent Tax Return supported by IRS Documents (e.g. Form Letter 1722 - See Appendix A) Public Notice of Closing Written Statement from a Publicly Supported 24 Hour Care Facility or Institution (e.g. Mental, Prison)
	Total Income	Pay Stub Public Assistance Records/Printout Social Security Benefits Unemployment Insurance Documents and/or Printout

<b><u>CRITERIA</u></b>	<b><u>SUB-CRITERIA</u></b>	<b><u>Documentation Description</u></b>
<b>JTPA/WIA Income Eligible</b>		Farm or Business Financial Records Alimony Agreement Applicant Statement (See Part III) Award Letter from Veterans Administration Bank Statements (Direct Deposit) Compensation Award Letter Court Award Letter Employer Statement/Contact Housing Authority Verification Pension Statement Quarterly Estimated Tax for Self Employed Persons (Schedule C)
<b>Laid Off Due to Permanent Closure</b>		Employer Information Public Notice of Closing Dislocation Event Tracking System
<b>Laid Off Due to Substantial Layoff</b>		Employer Information Public Notice of Closing Dislocation Event Tracking System
<b>Layoff or Termination Due to Clean Air Act (see Description)</b>		Employer Statement/Contact
<b>Layoff or Termination Due to Defense Reductions (see Description)</b>		Employer Statement/Contact
<b>Layoff or Termination Due to Flood or Other Natural Disaster</b>		Applicant Statement (See Part III) Letter from Company
<b>Limited Education</b>		DHS Assessment Document Other DHS Records Applicant Statement (See Part III) School Records/Identification Card Test Results
<b>Long-term TANF Dependency Characteristics</b>		DHS Assessment Document School Records/Identification Card Applicant Work History as collected by the SDA or by DHS Applicant Statement (See Part III) Offender-Police Records PIC Established Criteria Birth Certificate/Court Records Drivers License/Court Records School Records/Identification Card/Court Records Public Assistance/Social Records/Court Records Illinois Secretary of State Issued State of Illinois Identification Card/Court Records
<b>Long-Term TANF Recipient</b>		Department of Human Services Records
<b>Low Growth Occupation</b>		Work History Employer Statement/Contact
<b>Making Satisfactory Progress in Training</b>		

**CRITERIA      SUB-CRITERIA      Documentation Description****Making Satisfactory Progress in Training**

Training Institution Statement

**Meets Qualifications of Selected Training Program**

Assessment Records

**Needs Related Payments Income Eligible (see Description)**

County of Residence

Drivers License  
 Public Assistance Records/Printout  
 Food Stamp Award Letter  
 Utility Bill  
 Landlord Statement  
 Applicant Statement (See Part III)  
 Computer Printout from other Government Agencies  
 Homeless (See Requirements for Homeless Individuals)  
 Housing Authority Verification  
 Insurance Policy (Residence or Auto)  
 Lease  
 Letter from Social Service Agency or School  
 Library Card  
 Medicaid/Medicare Card  
 Phone Directory  
 Postmarked Mail Addressed to Applicant  
 Property Tax Record  
 Rent Receipt  
 School Identification Card  
 Selective Service Registration Card  
 Work Experience Records/Pay Stub

Number of Persons in Family

Birth Certificate  
 Medical Card  
 Landlord Statement  
 Public Assistance/Social Service Records  
 Disabled (See Individuals with Disabilities)  
 Applicant Statement (See Part III)  
 Decree of Court  
 Divorce Decree  
 Lease  
 Marriage Certificate  
 Most Recent Tax Return supported by IRS Documents (e.g. Form Letter 1722 - See Appendix A)  
 Public Notice of Closing  
 Written Statement from a Publicly Supported 24 Hour Care Facility or Institution (e.g. Mental, Prison)

Total Income

Pay Stub  
 Public Assistance Records/Printout  
 Social Security Benefits  
 Unemployment Insurance Documents and/or Printout  
 Farm or Business Financial Records  
 Alimony Agreement  
 Applicant Statement (See Part III)  
 Award Letter from Veterans Administration  
 Bank Statements (Direct Deposit)  
 Compensation Award Letter  
 Court Award Letter  
 Employer Statement/Contact  
 Housing Authority Verification  
 Pension Statement  
 Quarterly Estimated Tax for Self Employed Persons (Schedule C)

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
<b>No Longer Receiving Unemployment Compensation</b>		IDES UI Records
<b>Non-Custodial Parent</b>		DHS Records indicating Parental Status Birth Certificate of Minor Child Court Records
<b>Not Eligible for Unemployment Insurance Benefit</b>		IDES or other State's Employment Records
<b>Notified of Impending Layoff</b>		Individual Notice Certification of Expected Separation
<b>Offender</b>		Applicant Statement (See Part III) Court Documentation Halfway House Resident Letter of Parole Letter of Probation Officer Offender-Police Records
<b>Other Grant Sources Unavailable or Inadequate</b>		Training Budget Worksheet
<b>Pending TANF Termination</b>		Department of Human Services Records
<b>Person with Disability</b>		Letter from Drug or Alcohol Rehabilitation Agency Medical Records Observable Condition (Applicant Statement Needed - See Part III) Physicians Statement Psychiatrists Diagnosis Psychologists Diagnosis Rehabilitation Evaluation School Records/Identification Card Sheltered Workshop Certification Social Security Administration Disability Records Social Service Records/Referral Veterans Administration Letter/Records Vocational Rehabilitation Letter Workers Compensation Record
<b>Poor Work History</b>		Applicant Work History as collected by the SDA or by DHS
<b>Pregnant or a Parent</b>		Applicant Statement (See Part III) Birth Certificate Hospital Record of Birth Medical Card Physicians Statement Referrals from Official Agencies School Program for Pregnant Teens School Records/Identification Card Statement from Social Services Agency
<b>Qualified National Reserve Program Veteran</b>		DD-214/Report of Transfer or Discharge

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
<b>Qualified National Reserve Program Veteran</b>		VA Records Disability Payment Records
<b>Received Core Service</b>		Case Note or Participant's File for Record
<b>Received Intensive Service</b>		Case Note or Participant's File for Record
<b>Receiving No Allowances Other Than NRP</b>		Family Income Statement
<b>Requires Substance Abuse Treatment</b>		DHS Responsibility and Services Plan (RASP) Court Records Applicant Statement (See Part III)
<b>Resident of SDA (see Description)</b>		Drivers License Public Assistance Records/Printout Food Stamp Award Letter Utility Bill Landlord Statement USDOL Documentation Technical Assistance Guide p.II-2 Department of Human Services Records Applicant Statement (See Part III) Computer Printout from other Government Agencies Homeless (See Requirements for Homeless Individuals) Housing Authority Verification Insurance Policy (Residence or Auto) Lease Letter from Social Service Agency or School Library Card Medicaid/Medicare Card Phone Directory Postmarked Mail Addressed to Applicant Property Tax Record Rent Receipt School Identification Card Selective Service Registration Card Work Experience Records/Pay Stub Illinois Secretary of State Issued State of Illinois Identification Card
<b>Runaway Youth</b>		Applicant Statement (See Part III) Written Statement from an Individual Providing Temporary Residence Written Statement from Shelter Written Statement from Social Service Agency
<b>School Dropout</b>		Applicant Statement (See Part III) Attendance Record Dropout Letter
<b>Selected Training Program in Demand</b>		Occupational Demand Data LWIB Statement Letter from Company
<b>Self Employed</b>		

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
<b>Self Employed</b>		Business Records Tax Records Sales Receipts Legal Papers
<b>TANF Recipient</b>		Department of Human Services Records
<b>Tenure Requirement for WIA</b>		Work History IDES UI Records
<b>Terminated or Laid Off Prior to Registration</b>		IDES UI Records Work History
<b>Unable to Obtain or Retain Self-Sufficient Employment Through C</b>		Case Note or Participant's File for Record
<b>Unable to Obtain/Retain Self-Sufficient Employment Thru Inten</b>		Case Note or Participant's File for Record
<b>Unemployed</b>		IDES Records or other State's UI Records
<b>Unemployed at least six months</b>		Completed Work History U.I. Documents
<b>Unemployed Due to General Economic Conditions</b>		Business Records Tax Records Sales Receipts
<b>WTW Custodial Parent Income Eligible</b>	County of Residence	Drivers License Public Assistance Records/Printout Food Stamp Award Letter Utility Bill Landlord Statement Applicant Statement (See Part III) Computer Printout from other Government Agencies Homeless (See Requirements for Homeless Individuals) Housing Authority Verification Insurance Policy (Residence or Auto) Lease Letter from Social Service Agency or School Library Card Medicaid/Medicare Card Phone Directory Postmarked Mail Addressed to Applicant Property Tax Record Rent Receipt School Identification Card Selective Service Registration Card Work Experience Records/Pay Stub
	Number of Persons in Family	Birth Certificate Medical Card

<u>CRITERIA</u>	<u>SUB-CRITERIA</u>	<u>Documentation Description</u>
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	<b>WTW Custodial Parent Income Eligible</b>	
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		Landlord Statement
		Public Assistance/Social Service Records
		Disabled (See Individuals with Disabilities)
		Applicant Statement (See Part III)
		Decree of Court
		Divorce Decree
		Lease
		Marriage Certificate
		Most Recent Tax Return supported by IRS Documents (e.g. Form Letter 1722 - See Appendix A)
		Public Notice of Closing
		Written Statement from a Publicly Supported 24 Hour Care Facility or Institution (e.g. Mental, Prison)

	<b>Total Income</b>	
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		Six Month Income Statement Annualized Result Below Poverty Line
		Pay Stub
		Public Assistance Records/Printout
		Social Security Benefits
		Unemployment Insurance Documents and/or Printout
		Farm or Business Financial Records
		Alimony Agreement
		Applicant Statement (See Part III)
		Award Letter from Veterans Administration
		Bank Statements (Direct Deposit)
		Compensation Award Letter
		Court Award Letter
		Employer Statement/Contact
		Housing Authority Verification
		Pension Statement
		Quarterly Estimated Tax for Self Employed Persons (Schedule C)

	<b>Youth Needing Additional Assistance</b>	
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		School Records/Identification Card
		Testing Records by WIA Grantee
		Testing Records from Another Organization
		Other Locally-Determined Documentation

## Appendix G

### Family Income Inclusions and Exclusions

The following is a list of income that is to be included in determining eligibility as a “low-income individual” as defined in Appendix A of this guide.

#### Family Income shall include:

- Gross wages and salary (before deductions), including wages and salary received for on-the-job training;
- Net self-employment income (gross receipts minus operating expenses);
- Other money income received from sources such as net rents, pensions, alimony, periodic income from insurance policy annuities, and other sources of income;
- Strike benefits from union funds;
- Net gambling or lottery winnings;
- Disability insurance payments received under Title II of the Social Security Act of 1978 (42 U.S.C. 201 (1983)), as amended;
- Railroad Retirement;
- Fixed term, unearned income, such as but not limited to:
  - Payments received for a limited fixed term under income maintenance programs and supplemental (private) unemployment benefit plans;
  - One-time or fixed term scholarship and fellowship grants;
  - Accident, health and casualty insurance proceeds unless lump sum;
  - Periodic disability and death payments, including fixed term (but not lifetime) life insurance annuities;
  - Inheritance (if on a periodic basis), including fixed term annuities;
  - Periodic terminal leave pay;

- Soil bank payments; agriculture crop stabilization payments;
- Educational assistance and compensation payment to veterans and other eligible persons under chapters 11, 13, 31, 35 and 36 of Title 38 (Veterans' Benefits) of the U.S.C. 301, 401, 1501, 1650, 1700 and 1770;
- Black lung payments received under the Benefits Reform Act of 1977 (30 U.S.C.) 901, December 29, 1981 (and any amendments thereafter)
- Incentive for early retirement;
- IRA withdrawals that are taxable by the United States Internal Revenue Services.

The following is a list of income that is to be excluded in determining eligibility as a "low-income individual" as defined in Appendix A of this guide.

**Family income shall not include:**

- Capital gains and losses;
- Imputed value of owner-occupied property - i.e., rental value;
- Gifts;
- Non-cash income such as food stamps, or compensation received in the form of food or housing;
- Public assistance - i.e., Temporary Assistance to Needy Families, as amended;
- General Assistance (state or local government), Refugee Act of 1980 as amended, Supplemental Security Income (SSI) under Title XVI of the SSA, as amended;
- Federal, state or local unemployment benefits, or payments received under the Trade Readjustment Act of 1974, as amended;
- Child support payments including foster care reimbursement;
- Assets drawn as withdrawals from a bank;
- Sale of property, a house or a car;
- Tax refunds;
- Loans;

- Non-cash benefits such as but not limited to:
  - Employer-paid or union-paid portion of health insurance or other employee fringe benefits;
  - Federal noncash benefits programs as Medicare, Medicaid, food stamps, school lunches and housing assistance.
  - Improvements on a principle place of dwelling under various governmentally funded programs.
  - Value of food produced and consumed on farms.
- Lump sum, unearned income;
- Pay or allowance which were received by any veteran while serving on active duty in the Armed Forces.
- Disability benefits received by separated military personnel are also to be excluded when determining “low income individual” status for eligibility determination.
- Old age and survivors insurance benefits received under Title II of the Social Security Act of 1978 (42 U.S.C.(1983), as amended.

## Appendix H

### Selective Service Policy

For all males, determine their date of birth.

(1) If the male customer was born before January 1, 1960, the Military Selective Service Act (MSSA) is not applicable to that individual. Selective Service Compliance within the Training Resource Assistance and Coordination (TRAC) System is to be marked “not applicable” in this instance.

(2) If the male customer has not reached age 18, the MSSA is not applicable to that individual. Selective Service Compliance within the Training Resource Assistance and Coordination (TRAC) System is to be marked “not applicable” in this instance.

(3) For all other male customers (born after December 31, 1959 and aged 18 or above), the MSSA is applicable to that individual. Selective Service Compliance within the Training Resource Assistance and Coordination (TRAC) System is to be marked “yes” or “no” in this instance. If marked “no”, TRAC will not support the eligibility of the customer for any WIA program.

The grant recipient must verify whether the customer has complied with the MSSA. Verification may be made in one of three ways:

(a) Inspection of the customer’s Selective Service Registration acknowledgment. Selective Service sends a Registration Acknowledgment out for all new registrations it receives. WIA programs wishing to maintain documentation for audit purposes should record the customer’s Selective Service registration number, as listed on the Registration Acknowledgment.

(b) Contact the Selective Service homepage at [www.sss.gov](http://www.sss.gov). WIA programs wishing to maintain documentation for audit purposes should record the Registration Acknowledgment.

(c) Phoning the Selective Service Registration Office (telephone number 1-847- 688-6888). Confirmation over the phone via the automated process coupled with a case note to the file is sufficient for WIA verification purposes. Selective Service is not able to send out written verification follow-up acknowledgments to confirm answers provided over the telephone line.

If the male customer has complied with the MSSA, no further action is necessary and an otherwise eligible male may participate in WIA or WtW.

If the male customer is not registered, the following procedure must occur:

(a) Go to [www.sss.gov/must.htm](http://www.sss.gov/must.htm) and review "Who Must Register? - Chart" to determine who is exempt from this requirement. From a practical standpoint and for varying reasons, those that are exempted from registration will not generally participate in a WIA program. If such participation does occur, the Selective Service information indicates registration must occur within 30 days of release unless already age 26, already registered when released or exempt during the entire period the male customer was 18 through 26. (Examples of these pages are attached to this policy letter).

(b) Determine if the male customer who is supposed to meet the MSSA requirements knowingly and willfully failed to register with Selective Service.

Before participation in a WIA or WtW program, the male customer must be advised that a status information letter is required from Selective Service. A copy of such a letter must be maintained in the customer's file. An example of a letter is also attached to this policy letter. The letter from Selective Service states in part "(2) the person shows by a preponderance of the evidence that the failure to register was not a knowing and willful failure to register".

Grantee staff must obtain required documentation from the male customer. Written self attestation on the part of the male customer should always be in addition to the documentation from Selective Service to be used in instances such as this. In many instances self attestation explaining his non-registration with Selective Service was not a knowing and willful failure to register will be the only documentation available. A copy of such a written self attestation must be signed by the male customer and maintained in the customer's file along with the letter from Selective Service.

The final decision regarding the male customer's eligibility into a WIA or WtW program based upon the matter of Selective Service compliance rests with the grantee. The authority and responsibility to determine, based upon the facts submitted by the male customer, that he did not knowingly or willfully fail to register is in the domain of the WIA/WtW grantee. As a grantee, a locally approved grantee policy must be developed dealing with MSSA compliance.

Selective Service System  
PO Box 94638  
Palatine, IL 60094-4638

Selective Service System  
<http://www.sss.gov>

SIL

10625-000099

June 25, 2001

Hoffman Estates, IL 90195

Dear Mr.

We have received your inquiry concerning your eligibility for a right, benefit, or privilege which is subject to your registration with the Selective Service System. A search of our files, and an examination of the information you provided reveal that you were required to register with Selective Service, but have not registered. You cannot register after attaining age 26. No notices were sent to you by the Selective Service System regarding the requirement to register. Selective Service is not required to notify men of their obligation to register.

Section 12(g) of the Military Selective Service Act (50 App. U.S.C. 462(g)) reads as follows:

“(g) A person may not be denied a right, privilege, or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 (of the Military Selective Service Act) if -

- (1) the requirement for the person to so register has terminated or become inapplicable to the person; and
- (2) the person shows by a preponderance of the evidence that the failure to register was not a knowing and willful failure to register.”

Any explanation to justify your failure to register must be made to the agency administering the right, benefit, or privilege you seek. You should submit this letter to them for consideration along with a copy of any documentation you believe may be helpful to your case. The final decision regarding your eligibility is with the authority of that agency.

Sincerely,

*William F. Delaney*

William F. Delaney  
Director, Data Management Center

Seal of the Selective Service System



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Fast Facts

## Who Must Register? - Chart

Does every young man have to register when he turns 18? Just about!

Almost all male U.S. citizens regardless of where they live, and male immigrant aliens residing in the U.S., are required to be registered with Selective Service if they are at least 18 years old but are not yet 26 years old. Men who are 26 years old and older are too old to register. Some requirements are shown below:

<u>CATEGORY</u>	<u>REQUIRED TO REGISTER?</u>
<b><span style="border: 1px solid black; padding: 0 2px;">b</span> MILITARY-RELATED</b>	
Active duty military.	No *
Men attending service academies, like the U.S. Air Force Academy.	No *
Men attending the U.S. Coast Guard Academy.	No *
Men attending the Merchant Marine Academy.	Yes
Male students in military officer procurement programs at The Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, and Virginia Polytechnic Institute and State University.	No *
Members of the National Guard or Reserves not on active duty.	Yes
Delayed Entry Program enlistees.	Yes
Men who separate from active duty military for any reason before they turn 26.	Yes *
Men rejected for enlistment for any reason before turning 26.	Yes

*\* Must register within 30 days of release unless already age 26, already registered when released, or exempt during entire period age 18 through 25.*

**ALIENS \*\***

**REQUIRED TO REGISTER?**

Lawful non-immigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired visas (Forms I-94, I-95A), or those with Border Crossing Documents (Forms I-185, I-186, I-444).	No
Permanent resident aliens.	Yes
Special (seasonal) agricultural workers (Form I-688).	Yes
Special agricultural workers (Form I-688A).	No
Refugee, parolee, and asylee aliens.	Yes
Undocumented (illegal) aliens.	Yes

**NOTE:** Immigrants who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after they were 26 years old were never required to register. Also, immigrants born before 1960 who did not enter the United States or maintained their lawful non-immigrant status by continually remaining on a valid visa until after March 29, 1975 were never required to register.

**CONFINED** REQUIRED TO REGISTER?

Incarcerated, hospitalized, or institutionalized for medical reasons. No \*

**HANDICAPPED PHYSICALLY OR MENTALLY** REQUIRED TO REGISTER?

Able to function in public with or without assistance. Yes

Continually confined to a residence, hospital, or institution. No

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\* Must register within 30 days of release unless already age 26, already registered when released, or exempt during entire period age 18 through 25.

\*\* Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are U.S. citizens. Citizens of American Samoa are nationals and must register when their permanent address is in the U.S. This also goes for a national or citizen of the Republic of the Marshall Islands or the Federal States of Micronesia if they live in the U.S. for more than one year for any reason, except as a student or employee of the government of his homeland.

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Red Line

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Revised January 7, 2002