

OPERATIONAL GUIDELINES FOR COMPLIANCE WITH SERVICE PRIORITY CRITERIA FOR THE ADULT AND DISLOCATED WORKER PROGRAM

I. INTRODUCTION

Career and training services for the Adult and Dislocated Worker Program under Title I of the Workforce Innovation and Opportunity Act (WIOA) are provided through the One-Stop Center (*Centro de Gestión Única*). Career services are, in turn, divided into basic career services, individualized career services, and follow-up services.

WIOA does not require a specific sequence of services prior to providing training services. However, available resources for the Adult and Dislocated Worker Program are subject to a priority order to serve populations with the greatest need in accordance with the criteria established by law.

II. WIOA PRIORITY CRITERIA FOR ADULTS AND DISLOCATED WORKERS

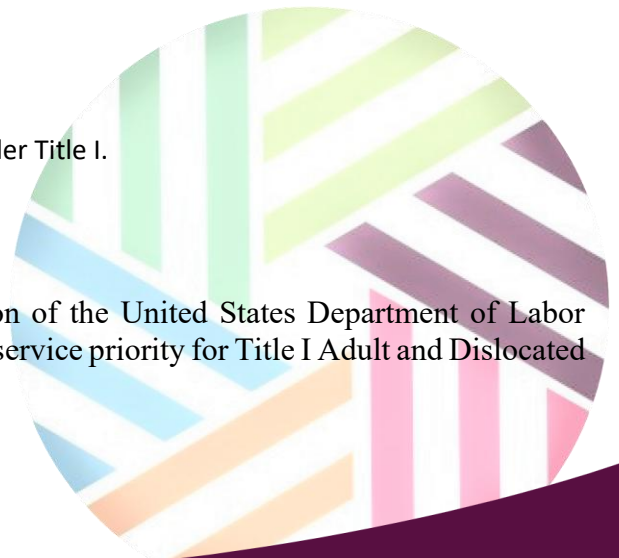
In this regard, WIOA requires that services be targeted to individuals with barriers to employment, as defined in Section 3(24), to ensure priority access for this population.

Pursuant to Section 134(c)(3)(E) of WIOA, the One-Stop Center is responsible for giving priority in the use of these funds for individualized career services and training services to the following populations:

- i. Public assistance recipients;
- ii. Other low-income individuals;
- iii. Individuals who are basic skills deficient; and
- iv. Underemployed individuals who meet service criteria under Title I.

III. ORDER OF PRIORITY PURSUANT TO TEGL 3-15

On July 1, 2015, the Employment and Training Administration of the United States Department of Labor (USDOL-ETA) published TEGL 3-15, establishing the order of service priority for Title I Adult and Dislocated Worker programs.



The order of priority to be followed for individualized career services and training services is as follows:

- **First:** Veterans and eligible spouses who are also included in the priority groups for the Adult Program. This means that veterans and eligible spouses who are public assistance recipients, other low-income individuals, or basic skills deficient will receive first priority for services under the Adult Program.
- **Second:** Other non-covered individuals (individuals who are not veterans or eligible spouses but are included in the aforementioned WIOA priority groups for the Adult Program).
- **Third:** Veterans and eligible spouses who are not included in the WIOA priority groups.
- **Fourth:** Other non-covered individuals outside of the WIOA priority groups.

Note: When recent income is a determining factor for federal employment or training program eligibility, any amount received as military pay by an active-duty service member, as well as certain other benefits that must be considered for eligibility determinations, must not be counted for veterans. Military earnings must not be included in income calculations for veterans or transitioning service members when determining service priority under WIOA, in compliance with 38 U.S.C. 4213.

The provision of services for Separating Service Members and Military Spouses using Dislocated Worker funds, as set forth in TEGL 22-04, establishes that separating military personnel, including but not limited to beneficiaries of Unemployment Compensation for Ex-Military Members (UCX), may be considered dislocated workers. Dislocated worker funds can assist separating service members in transitioning into the civilian workforce. Generally, a separating service member needs a separation notice—either a DD-214 from the Department of Defense or other appropriate documentation showing an imminent separation from the Armed Forces—which can serve as a notice of termination of employment to satisfy the dislocated worker definition.

In cases of military separation via terminal leave, it is recommended to begin providing career services while the service member is still on Active Duty, given their imminent separation date. It is appropriate to provide career services to service members facing imminent separation, provided their discharge is not dishonorable according to military criteria. ETA has established as public policy that a separating service member meets the dislocated worker requirement, as they are an individual unlikely to return to their previous industry or occupation.

Regarding military spouses, WIOA expands the definition of dislocated workers to include military spouses who have lost employment as a direct result of relocation due to a permanent change of station of the spouse. Military spouses may also qualify if they are dependents of an active-duty Armed Forces member whose family income is significantly reduced—as determined by state or local policy—due to deployment, a call-up or order to active duty, a permanent change of station or base, or the service-connected death or disability of the service member. Military spouses may further qualify if they are unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment (see WIOA Sections 3(15)(E) and 3(16)(A) and (B)).

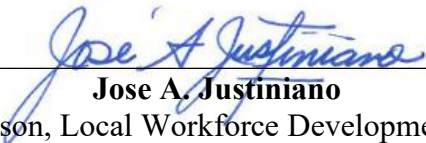
Under the fourth order of service, underemployed individuals shall be included in accordance with the following requirements:

1. TEGL establishes that underemployed individuals who meet the definition of low-income may receive career and training services under the Adult Program based on the priorities established for eligible individuals in said program.
2. Individuals who meet the definition of an individual with a barrier to employment (WIOA Section 3(24)) and are underemployed may also be served under the Adult Program.
3. Individuals determined eligible under the Dislocated Worker Program who are also underemployed according to state or local area policies may be considered eligible for career and training services under said program.
4. According to TEGL, underemployed individuals may include:
 - i. Individuals employed less than full-time who are seeking full-time employment.
 - ii. Individuals employed in a position that is inadequate relative to their skills and training.
 - iii. Individuals who are employed and meet the definition of low-income pursuant to Section 3(36) of WIOA.
 - iv. Individuals who are employed, but whose current earnings are insufficient compared to earnings from prior employment, according to state or local area policies.

IV. OPERATIONAL GUIDELINES FOR IMPLEMENTING SERVICE PRIORITIES AT THE ONE-STOP CENTER

1. These guidelines apply exclusively when an appointment/enrollment is required for an activity or program within individualized career services or training services. The order of priority established in Part III of these guidelines shall be used.
2. The official in charge of processing the enrollment shall ensure that the individual's file contains all required documentation and that the Individual Employment Plan (IEP), along with its corresponding assessments, has been properly completed.
3. A perpetual log shall be maintained recording the time, day, month, and year the individual's enrollment is completed pursuant to this procedure, and the certification included as an attachment shall be completed to form part of the file.
4. The supervisor shall sign the corresponding certification and ensure that the enrollment is registered appropriately.
5. No enrollment may be processed unless the certification is fully completed.

APPROVED BY:


Jose A. Justiniano
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Date

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