Fresno Regional Workforce Development Board

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Workforce Innovation and Opportunity Act

Intake and Eligibility Procedures Manual

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This WIOA, Title I financially assisted program/service is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities and/or limited English proficiency

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SECTION 1: INTRODUCTION

1.1 Purpose

The purpose of this manual is to establish and maintain policies and procedures for conducting intake and determining eligibility for Workforce Innovation and Opportunity Act (WIOA) program services, beginning with orientation.

1.2 Inquires

For questions regarding this Manual, please contact the FRWDB AJCC Operations Manager.

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SECTION 2: WORKFORCE CONNECTION ORIENTATION

The Workforce Connection Orientation is designed to provide applicants with an overview of the WIOA program services including the resources and benefits offered to potential WIOA participants.

2.1 Orientation Process

All applicants must complete the Orientation prior to any referrals to partners, other community services, or a Self-Reliance Team (SRT) interview. This orientation provides a comprehensive overview of services available from Workforce Connection and other community resources.

All orientations will be conducted using the Fresno Regional Workforce Development Board (FRWDB) Orientation videos, which may be provided face-to-face or virtually.

2.2 Virtual FRWDB Orientation Video

Provider staff will provide applicants with the appropriate link listed below to view the Orientation video.

- Adult/Dislocated Worker: https://www.workforce-connection.com/new-adult-services/
- Young Adults: https://www.workforce-connection.com/yas/

After viewing the appropriate online orientation video, applicants must complete the Workforce Connection Assistance Request Form and submit it via the Workforce Connection website.

Once the applicant submits the request online, provider staff will receive the completed Workforce Connection Assistance Request Form via email. A staff member shall contact the applicant to review their request, answer any questions, and schedule the next appointment accordingly.

2.3 In-Person Orientation

The FRWDB WIOA Orientation video will be facilitated by provider staff during in-person orientations as follows:

- The applicant completes the online Workforce Connection Assistance Request Form in the Resource Room and submits it via the Workforce Connection website.
- The applicant attends the orientation (group or applicant).
- Applicants requesting WIOA services will be scheduled for a SRT Interview.

Provider staff will review the Workforce Connection Assistance Request Form with each applicant and answer any questions they may have and provide the appropriate referrals as requested.

2.4 Spanish Orientation

For Spanish-speaking applicants, provider staff will use the Spanish WIOA Workforce Connection Career Services Orientation PowerPoint presentation (Form # UNI-008S).

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SECTION 3: SELF RELIANCE TEAM PROCESS

The SRT is responsible for interviewing applicants who have requested Individualized Career Services or Young Adult Services. The purpose of this interview is to assess the applicant's current situation and provide the most suitable referral(s) to help them upgrade their current position or obtain employment.

3.1 SRT Process

The SRT must include Fresno County WIOA provider staff and, when available, a One-Stop Partner staff member (e.g., Employment Development Department, Employment and Training Administration, Migrant Seasonal Farmworkers, depending on site availability). These staff members must be knowledgeable about the resources and services offered in Fresno County.

Provider staff may conduct SRT interviews without partner staff if partner staff are unavailable or if the volume of applicants seeking services exceeds the capacity of the scheduled SRT meetings at a specific location.

3.2 SRT Interview Scheduling and Documentation

Provider staff will schedule applicants for an SRT interview and provide them with the following:

- The Scheduling Policy and SRT Appointment Sheet (Form #UNI-005)
- The Job Track Services and Activities Application Adult/Dislocated Worker Only(Form #JOB-001) in English/Spanish (See OD 22-05 Job Track Services & Activities Application)

SRT staff will use the standardized SRT Script (Form #UNI-002) to conduct interviews, which will be held on a one-on-one basis either in person or via a video conference platform. In cases where an applicant has limited or no access to technology, phone interviews may be conducted.

A member of the SRT must complete the SRT Questionnaire (Form #REG-106) during the interview and document the applicant's responses, along with any observations regarding the panel interview.

3.3 Referral Process and Follow-up

Upon completion of the interview, the SRT staff will make the appropriate referral(s) based on the interview outcome and document any referral(s) made. For WIOA Adult or Youth referrals, the SRT member will review the Individual Participation Agreement (Form #REG-116e) or the Young Adult/Parent Contract (Form #REG-112e) with the applicant as applicable.

If a youth is not referred to WIOA services, they **must** be provided with appropriate referral(s) to other available services in the community. Staff must follow the Unite Us referral process outlined in OD #03-22 for all referrals.

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If SRT staff are unable to determine the appropriate referral or if the applicant disagrees with the referral, the case will be escalated to the SRT management team, which consists of provider and FRWDB management staff, along with SRT staff from each AJCC location, for further review. If the SRT management team upholds the initial referral, the case will be escalated to FRWDB staff for a final determination.

SRT staff will then contact the job seeker and communicate the final decision.

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SECTION 4: RE-ENROLLMENT OF EXITED PARTICIPANTS

With limited WIOA funds and high demand for services, the FRWDB aims to maximize access for as many applicants as possible, prioritizing those who have not previously had the opportunity to benefit from WIOA services.

4.1 Re-Enrollment Process

Provider staff must obtain waiver approval from the FRWDB before re-enrolling applicants who have exited the program within the last two years. However, the following applicants do **not** require a waiver for re-enrollment:

- Dislocated Workers
- Applicants who previously received services under the youth program and are now seeking enrollment in the adult program

The provider is responsible for screening all applicants who do not require a waiver to assess their level of commitment to program requirements.

4.2 Waiver Request Submission

When submitting a written waiver request to the FRWDB for approval, the request must include:

- Justification for re-enrollment, explaining the applicants' need for WIOA funding. Reasons may include outdated skills, dislocation from employment, or additional barriers not addressed during previous enrollment.
- A description of past services provided to the applicant.
- A description of additional services to be provided and the expected benefits to the applicant.
- Information on past and projected expenditures related to Vocational Skills Training or supportive services.
- For applicants who previously received WIOA-funded Vocational Skills Training, the waiver must explain why the applicant is unable to secure employment in the occupation for which they were trained.

Final waiver approval will be determined by the FRWDB on a case-by-case basis.

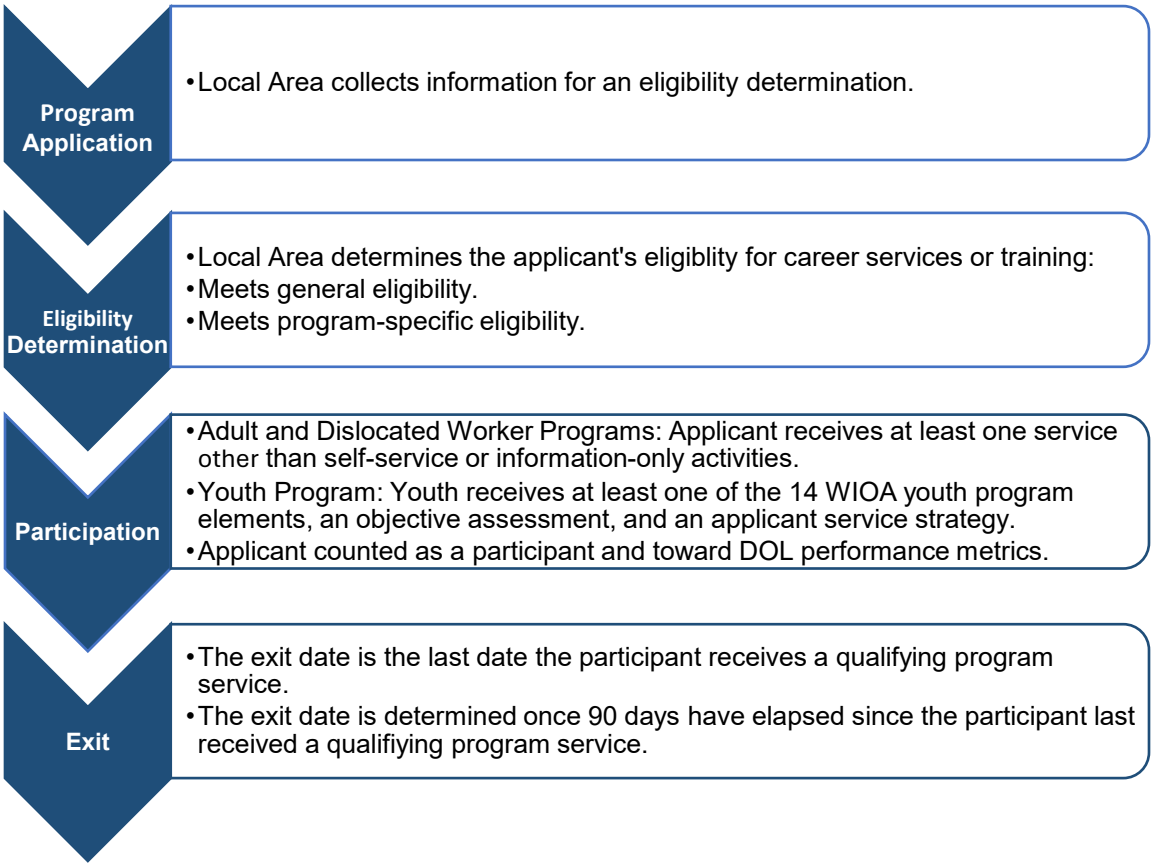
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SECTION 5: WIOA ELIGIBILITY TECHNICAL ASSISTANCE GUIDE

5.1 Overview

To receive WIOA-funded services, other than basic career self-services or information-only activities, applicants must be registered and determined eligible.

The following illustrates the enrollment process:



References: Title 20 CFR Sections 678.430, 680.110 and 681.320; TEGL 19-16 and TEGL 21-16; WSD18-03, WSD19-06, and WSD22-15)

1. WIOA Program Application

During program intake, provider staff collect information, including identifying information, to determine an applicant's eligibility for services. Information may be collected through several methods including CalJOBS℠, a personal interview, or the applicant's WIOA application. The WIOA application is the general tool used to collect information and determine an applicant's eligibility for services.

For an applicant to be enrolled into a WIOA program, all of the following must occur:

a. Eligibility determination.

- Information must be collected from the applicant to support eligibility determination. This information is collected through the applicant's WIOA program application. The provider staff must make every effort to ensure that applications are completed in entirety, and all demographic and barrier information is collected for the applicant.

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b. Each applicant must be asked for Equal Opportunity (EO) data, which may be included in the WIOA Application, but an applicant is not required to disclose information).
c. Receive any staff-assisted basic career service, individualized career service, or training service.
    - For the Youth program, an applicant must receive all four required components to be enrolled as a participant: eligibility determination, objective assessment, the development of an applicant service strategy, and receipt of any of the 14 WIOA youth program elements.

(References: Title 20 CFR Sections 675.300, 680.110, 681.320; Title 29 CFR Part 38; TEGL 10-16, Change 3; WSD18-03 and WSD22-15)

Note: For the WIOA Title I Adult, Dislocated Worker, and Youth programs, neither applicants nor their family members are required to disclose their Social Security Numbers (SSN). While an applicant cannot be denied services for choosing not to provide their Social Security Number (SSN). It is still important to note, however, that performance outcomes use SSNs to identify applicants in base wage records. For this reason, Provider staff are to encourage participants to provide their SSN with the caveat that it will be protected data and only seen by staff. In the case where an applicant still refuses to provide an SSN, a pseudo-SSN must be created. Please note, applicants may not assign their own pseudo-SSNs during self-registration.

(References: Title 20 CFR Section 677.175[a][2]; TEGL 10-23, TEGL 26-16; WSD20-11)

The following provide directions on how to formulate a pseudo-SSN for an applicant to able to complete a CalJOBS℠ registration and the documentation requirements for using a pseudo-SSN.

The syntax to create a pseudo-SSN is as follows:

- The first three digits are the DOL code assigned to the Fresno County Local Workforce Development area and are 944.
- The middle two digits are the two-digit date (DD) of the applicant's birthday.
- The last four digits are the two-digit month (MM and the last two digits of the year (YY) of the participant's birth.

  Examples:
    - If the applicant was born on December 30, 1995, the pseudo-SSN would be "944-30-1295".
    - If the applicant was born on July 28, 2000, the pseudo-SSN would be "944-28-0700".

Documenting use of Pseudo SSN

- Update the applicant's case note stating that a pseudo-SSN was used.
- Notify the FRWDB Data Analysis that a Pseudo-SNN was used. Provide the applicant's name, CalJOBS℠ name and the Pseudo-SSN

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2. Application Process

There is no federal limit on how much time is allowed between the application date and enrollment date. Nevertheless, so much time should not elapse before registration that it becomes unreasonable to assume the information about the applicant is still valid.

To ensure information collected for WIOA eligibility is valid, the first enrollment date must occur within 30 days of the date of the application. If enrollment does not occur within 30 days, the application must be reviewed, and eligibility documentation, i.e., income and priority demographics, must be updated to ensure eligibility certification is still valid. Failure to do so may result in disallowed costs associated with the applicant's eligibility.

(References: WSD18-02 and WSD18-03)

Eligibility staff will complete the WIOA application in CalJOBS℠. All documents and forms must have authorized original or electronic signatures and/or initials with dates, where applicable.

Eligibility staff will use electronic signature pads to obtain electronic signatures on the application and all required documents. Authorized staff may reset the signature should the participant's signature be inappropriate at the discretion of the Reviewer. This will allow the participant to electronically re-sign the application. The participant's signature shall not be reset after the Reviewer approves the application.

In the event an applicant is unable to be scheduled for an in-person appointment, Eligibility staff may use the following electronic or in-person delivery process to send and receive required eligibility documents, i.e., Right to Work documents:

- WIOA Pre-Application in CalJOBS℠.
    - Eligibility staff will meet with applicants prior to completing the pre-application to clearly inform the applicant what information is needed to upload.
- Providers may use CalJOBS℠ to send and receive eligibility verification documentation i.e. Right to Work documents.
- Documents that do **not** include Personally Identifiable Information (PII), i.e., Application packets, may be sent and received via email, text messaging, or other electronic options.

UNDER NO CIRCUMSTANCE can any documents or forms with PII be submitted via email, text messaging, or any other electronic form via the internet.

CalJOBS℠ is the only electronic methodology allowed for this type of information.

In the event the applicant is unable to sign the application remotely, the Eligibility Staff will schedule the applicant to come into the office to sign the WIOA Application in CalJOBS℠.

The only copy of the WIOA application that will be printed is to provide the applicant with a copy of the application.

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All documents and forms are to be uploaded to CalJOBS℠ in the Documents (staff) section and labeled accordingly under the "Document Tags" field (keywords that will be indexed with this attachment) in CalJOBS℠.

3. Eligibility Reviewing Process

Eligibility staff notifies their management (eligibility reviewer) that the WIOA application packet has been completed.

Eligibility reviewer staff (management) will review the applicants WIOA application and the WIOA application eligibility packet in CalJOBS℠.

The reviewer staff must case note in CalJOBS℠ that the WIOA application and application packet was reviewed and approved or disapproved for WIOA enrollment in place of the reviewers' signature on the paper application.

In the event the reviewer identifies an error in the uploaded documents or determines that additional documents are needed to complete the application, the reviewer is authorized to delete the incorrect documents from CalJOBS℠ and upload the corrected or additional documents. The reviewer must case note the error and the justification for deleting the document(s).

4. Eligibility Determination

The WIOA distinguishes between general program eligibility and eligibility for services for participants. WIOA is not an entitlement program and although an applicant may meet program eligibility criteria, it does not mean that they are guaranteed services. This is because funding for WIOA programs is limited. Services must be offered to all eligible applicants when funding is available.

General program eligibility applies to all WIOA Title I Adult, Dislocated Worker, and Youth programs and includes:

- Age
- Selective Service System Registration (as applicable)
- Authorization to work in the United States (as required)

Eligibility for services is related to local determinations regarding the applicant's need, the participant's ability to benefit, and program-specific requirements.

Eligibility is determined at the time of enrollment. If an applicant's situation changes while receiving services, the applicant remains eligible until program exit. For example, an Out-of-School (OS) youth who is 24 years of age (the cut off age for OS youth) at the time of enrollment and subsequently turns 25 years of age, is still considered an OS youth until exited from the program.

(References: WIOA Sections 188[a][5], 189[h] and 194[12]; Title 20 CFR Section 681.210; TEGL 10-23 and TEGL 21-16; WSD18-03)

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5. Participation

Below are the criteria for participation in the WIOA Adult, Dislocated Worker, and Youth programs.

Adult and Dislocated Worker Programs

An applicant becomes a participant in the Adult or Dislocated Worker programs after completing the eligibility determination, satisfying all programmatic requirements, and receiving a staff-assisted basic career service, individualized career service, or training service. An applicant who uses self-services, or is assisted with information-only activities, is not considered a participant, and therefore does not need to meet eligibility requirements.

Youth Program

An applicant becomes a participant in the Youth program after receiving all four required components (eligibility determination, objective assessment, applicant service strategy development, and receipt of one of the 14 WIOA Youth program elements).

Note: For the Adult and Dislocated Worker programs, applicants who use self-service and/or receive information-only services or activities are considered reportable individuals. For the Youth program, if an applicant fails to meet one or more of the items needed to be a participant, the applicant will be reported as a reportable applicant and will not be included in performance calculations. Certain information about reportable applicants is required to be reported in quarterly and annual WIOA reports. Collecting and reporting information in CalJOBS℠ allows for accurate representation of the number of individuals engaged with the workforce system.

(References: Title 20 CFR Sections 677.150 and 681.320; TEGL 14-18 and TEGL 10-16, Change 3, Attachment VII; WSD22-15)

6. Concurrent Participation

Applicants may be determined eligible for multiple WIOA programs and may participate concurrently in WIOA and AJCC partner programs if they meet the eligibility requirements of each program. Providers may determine the appropriate level and balance of services for applicants participating in youth and adult programs concurrently.

Examples of concurrent participation include:

- An eligible youth is served simultaneously in the WIOA Title I Youth program and the WIOA Title II Adult Education program to meet the applicant's unique needs. The WIOA Title I resources can provide career guidance, work experience, and leadership development, while the WIOA Title II resources can provide adult education and literacy activities.
- A youth participant who is 18 to 24 years of age participates in both the WIOA Title I Youth and Adult programs based on their assessed needs and readiness for adult services.

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When an applicant is enrolled in multiple WIOA programs, the use of Local Area funds must meet the following criteria:

- The cost must benefit two or more programs in proportions that can be determined without undue effort or cost.
- The cost to each funding stream must be tracked, documented, and allocated based on the proportional benefit to ensure there is no duplication of services.
- Each funding stream must maintain its statutory requirements, including eligibility criteria and scope of authorized activities. The applicants must meet the eligibility requirements for each program from which they receive services.

(References: 20 CFR Section 681.430; TEGL 21-16; WSD19-09)

7. Exited Participants

An exit occurs when the participant has not received program services for 90 consecutive calendar days, and no additional future services are scheduled. The program exit date is applied retroactively after 90 days to the last service's actual end date. Follow-up services, self-services, information-only services or activities, and supportive services do not delay, postpone, or affect the date of exit.

Refer to OD 10-21, CalJOBS℠ Closure/Exit and Follow-up Process for more detailed information on the types of exits and determining a participant's date of exit.

(References: TEGL 14-18; WSD19-06 and WSD22-15)

5.2 General Eligibility Criteria

To receive services under the WIOA Title I Adult, Dislocated Worker, or Youth programs, an applicant must meet general eligibility criteria, which includes age, Selective Service registration (if applicable), and authorization to work in the United States (as required). The three general eligibility criteria are discussed in detail in this section.

1. Selective Service System Registration

The WIOA Section 189(h) mandates that males to comply with registration requirements of the federal Selective Service System prior to participation in a WIOA Title I-funded program. Local Areas must ensure that each applicable male who participates in any local WIOA program or activity, or receives any WIOA assistance or benefit, has not knowingly and willfully violated Section 3 of the Military Selective Service Act (MSSA) by failing to register as required.

To be eligible to receive WIOA-funded services, males born on or after January 1, 1960, who are at least 18 years of age, but not yet 26 years of age, and who are not on active duty in the armed services, must present documentation showing compliance with Selective Service registration requirements.

A male youth who reaches 18 years of age while participating in a WIOA program must register, as required, within 30 days of his 18th birthday to continue receiving WIOA-funded services.

The Selective Service System registration requirement for transsexual, transgender,

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intersex, and non-binary individuals is based upon the gender assigned at birth. U.S. citizens or immigrants who are born male and changed their gender are required to register. Applicants who are born female and changed their gender are not required to register.

Males who **are** required to register include, but are not limited to:

- US citizens.
- Non-US citizens, including undocumented immigrants, legal permanent residents, asylum seekers, and refugees.
- Veterans that were discharged before their 26th birthday.
- Members of the Reserve and National Guard that are not on full-time active duty.
- Dual nationals of the US and another country.

Males who **are not** required to register include, but are not limited to:

- Males serving in the military on full-time active duty.
- Males attending one of the five military academies or certain military colleges.
- Male veterans discharged after their 26th birthday.
- Males who are hospitalized, institutionalized, or incarcerated 30 days prior to their 18th birthday and, had no breaks longer than 30 days, are not required to register during their confinement. However, they must register within 30 days after being released if they have not yet reached their 26th birthday.
- Disabled males who meet the following criteria:
    - Is placed in a hospital, nursing home, long-term care facility, or mental institution on or before his 18th birthday, had no breaks of institutionalization of 30 days or longer, and remained institutionalized until his 26th birthday.
    - Is confined to home, whether his own or someone else's (including group homes), on or before his 18thg birthday and cannot leave the home without medical assistance (for example, by ambulance, or with the help of a nurse or EMT) and remains homebound until his 26th birthday.
- Non-US males on a valid non-immigrant visa (e.g., student, agricultural, and tourist visas) until they turn age 26.
- Non-US males who entered the US after their 26th birthday.

The above Selective Service registration requirements are not exhaustive. Refer to the Selective Service System website for a comprehensive list of who must register. Refer to the WIOA Title I Acceptable Documentation List for acceptable forms of supporting documentation to show compliance with Selective Service requirements.

Occasionally, males who were subject to registration, but did not register and are now beyond their 26th birth date, will apply for assistance from a WIOA program. If it is determined that a male who is 26 years of age or older knowingly and willfully failed to register, the MSSA requires that services must be denied to that applicant.

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However, if the provider can determine that the applicant's failure to register was not willful or knowingly, a waiver may be submitted for consideration for WIOA enrollment. Providers must submit a Waiver Request to the FRWDB for approval before enrolling males aged 26 and older into WIOA-funded services if they have not registered with the Selective Service or cannot provide evidence of an exemption as outlined in the "not required" section above.

Note: If the FRWDB has already approved a waiver, providers do not need to request new approval. The approved waiver must be documented in the participant's case notes, and a copy must be uploaded to the participant's digital case file in CalJOBS℠.

Each waiver request must include:

- A completed Selective Service Applicant Statement.
- A Selective Service Status Information Letter.
    - Instructions for obtaining a Status Information Letter are available on the Selective Service website at http://www.sss.gov
- Supporting documentation demonstrating that the applicant did not knowingly or willfully fail to register.

Examples of Supporting Documentation:

- Military Service: Evidence of honorable service in the U.S. Armed Forces, such as Form DD-214 or an Honorable Discharge Certificate, can demonstrate that failure to register was not knowing or willful.

  Note: If the applicant was discharged before turning 26, registration was required.
- Third-Party Affidavits: Statements from parents, teachers, employers, doctors, or others can provide context for the applicant's failure to register.

FRWDB staff will review the evidence in the Waiver Request to determine if it supports the claim that the failure to register was unknowing and unwilful.

If the waiver is approved, WIOA services may be provided, provided all other eligibility requirements are met.

If the waiver is denied, the applicant is not eligible for enrolled services, but may access Basic Career Services, such as the Resource Room. They may also appeal to the FRWDB determination through the local complaint process (See OD 06-12) or with the Selective Service System.

Providers must maintain all documentation related to Selective Service registration and/or waiver requests in the applicant's case file. Failure to do so may result in disallowed costs for expenditures made on the applicant's behalf. Refer to Table 1 for a list of acceptable documentation. (References: 50 USC Chapter 49, Sections 3802, and 3811[g], WSD16-18)

2. Age

An applicant's age must be verified to ensure they receive appropriate services. The following chart displays the age eligibility criteria for participation in the WIOA Adult,

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Dislocated Worker, and Youth programs.

WIOA PROGRAM	AGE	REFERENCE
Adult	18 years or older	WIOA Section 3(2)
Dislocated Worker	18 years or older	Title 20 CFR Section 680.120
In-School Youth	14-21 years old	WIOA Section 129(a)(1)(C)(ii)
Out-of-School Youth	16-24 years old	WIOA Section 129(a)(1)(B)(ii)

Refer to the WIOA Title I Acceptable Documentation List for a list of identification documents that can be used to satisfy this criterion.

3. Authorization to Work

Verifying Work Authorization

Many services provided through the WIOA Title I Adult, Dislocated Worker, and Youth programs may be delivered without proof of the participant's work authorization. Provider staff does not need to verify work authorization until the participant is moving into services that require such authorization. Provider staff must clearly explain what services they can and cannot provide to applicants who may not yet have work authorization documents, as well as clearly explain that employers will need work authorization documentation.

To ensure efficient delivery of services, providers may deliver certain basic, individualized, and follow-up services without verifying an applicant's work authorization. Services that **do not** require documentation for Work Authorization, include, but are not limited to:

- Labor exchange services such as labor market information, career exploration, career guidance, resume writing assistance, and job search assistance.
- Information on worker rights and where to find legal assistance.
- Referrals to community resources such as transportation, childcare support, food assistance, housing assistance, medical assistance, and other similar resources.
- Individualized services such as career assessments, development of an individualized employment plan, group counseling, one-on-one case management, career planning, information on foreign credential evaluation services and on obtaining credit for prior learning.
- Basic skills education, including English language instruction, and high school equivalency.
- Assistance in completing paperwork to finalize work authorization.
- Assistance in applying for an occupational license including the cost of such applications.
- Outreach to workers regarding the Employment-Related Law Complaint System and processing such complaints.
- Supportive Services that do not result in direct financial benefit to the participant, such as assistance with obtaining physical copies of I-9 documents, such as California Identification Card or driver's license, and referral to legal services or housing.

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Certain services, such as those directly linked to employment, employment outcomes, or services that provide a direct financial benefit, require verification of work authorization documentation. Services that **do** require documentation for Work Authorization, include, but are not limited to:

- Job placement.
- Occupational post-secondary training.
- Work experience.
- Supportive services that represent a direct financial benefit such as voucher or reimbursement, relocation expenses, or needs-related payments.

The lists above provide examples of work authorization verification requirements for common services; however, these lists are not exhaustive. For more detailed information on services that can be provided with and without verification of work authorization documents, refer to TEGL 10-23.

Proof of Work Authorization

When verifying authorization to work, provider staff must obtain copies of the applicant's Form I-9 documents and upload documents into the digital case file in CalJOBS℠ at the time of eligibility. This confirmation ensures compliance with federal regulations and better serves employer customers who must verify authorization to work.

It is not the intent to cause unnecessary hardship for an applicant who may already be facing barriers, but to aid them in overcoming barriers by providing them with tools to be successful in attaining their employment goals. To this end, the FRWDB has established the following criteria for providing non-employment-related WIOA staff-assisted career services to vulnerable populations. These applicants must be legally authorized to work in the United States but, due to circumstances beyond their control, lack the physical documentation required to enroll in WIOA services. Vulnerable populations include:

- Homeless
- Low Income youth
- Justice-involved individuals
- Limited English Proficiency individuals
- Individuals who lack the financial resources necessary to obtain physical copies of I-9 documents

An applicant who meets the vulnerable population criteria listed above may be eligible for a temporary exemption to document the right to work status for up to 90 days from the first date of participation.

The exemption allows applicants to self-attest to their right to work status while allowing enrollment into WIOA services for non-employment related services including:

- Case Management

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- Development of the Objective Assessment/Individual Employment Plan/Service Strategy (IEP/ISS)
- Job Ready Workshops
- Assessments
- High School Equivalency/ESL services
- CASAS and WorkKeys remediation services

If it is determined at the time of eligibility that the applicant does not have physical copies of the required right to work documentation, the provider staff may authorize a temporary exemption. Provider staff must fully document their attempts in the applicant's case notes on CalJOBS℠ to obtain the required right to work documentation listed in the I-9 Form prior to authorizing a temporary exemption.

The participant must complete and sign an Applicant Statement (Form # GEN-001e). The Applicant Statement must include the following:

- Detail the circumstance that prevents the applicant from providing work authorization documentation at the time of eligibility, **and**
- Provide at least one form of identification, i.e., school records or school identification that have already been verified, such as legal name, date of birth, social security number, alien number, and citizenship status, **and**
- The Applicant Statement must be signed by the Participant, the Provider of Services WIOA Eligibility staff and approved by the provider management prior to WIOA enrollment. Provider staff must document the steps taken to obtain the participant's right-to-work documentation by recording a detailed case note. Additionally, case notes must be entered at 30-day, 60-day, and 90-day intervals during the follow-up process to ensure the participant's work authorization is obtained and properly filed.

If the participant is unable to provide the required right to work documents within the 90-day period, provider staff must determine if the lack of verification is due to non-compliance on the part of the participant, or if the delay is due to circumstances beyond the participant's control, i.e., pending supportive service funds, or proof of pending appointment with DMV or Social Security office.

If it is determined that the delay is not intentional, the provider may authorize an additional 90-day extension. Extensions are provided on a case-by-case basis and the circumstances surrounding the delay must be documented in the applicant's case notes on CalJOBS℠.

Upon receipt of physical copies of the right to work documents, the provider staff must document receipt in the in the applicant's case notes on CalJOBS℠ and upload all document into CalJOBS℠.

Refer to Section 5.9 for the WIOA Title I Acceptable Documentation List for a list of documentation that can be used for proof of work authorization.

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Nondiscrimination Compliance

When verifying work authorization, providers must comply with the non-discrimination regulations in accordance with WIOA Section 188[a][5] and must not discriminate on the basis of citizenship status when determining eligibility or access to services provided under a WIOA Title I-financially assisted program or activity. Discrimination includes treating an applicant differently from others in determining whether the applicant satisfies any admission, enrollment, eligibility, membership, or other requirement or condition for any aid, benefit, service, or training provided under a WIOA Title I financially assisted program or activity.

(References: WIOA Section 188[a][5]; Title 29 CFR Sections 38.11 and 38.6[b][5]; Title 20 CFR Section 683.285[5]; TEGL 10-23; and WSD18-03)

5.3 Priority of Service Overview

Section 2(a) of the Jobs for Veteran's Act (JVA) mandates priority of service for veterans and eligible spouses, including widows and widowers, who otherwise meet the eligibility requirements for participation in DOL-funded programs, including the WIOA.

Priority of service means that applicants who meet established priority requirements (covered persons) must be given priority over other applicants (non-covered persons) for the receipt of employment, training, and placement services. In the context of providing priority of service in a qualified job training program, such as the WIOA, priority of service means the right of a covered person to take precedence over a non-covered person. Depending on the type of service, taking precedence may mean that covered persons receive access to the service or resource sooner than non-covered persons, or if the service or resource is limited, the covered person receives access to the service or resource instead of, or before non-covered persons. The WIOA is not an entitlement program and funding for WIOA programs is not unlimited. Applicants who do not meet priority of service criteria may still receive services under the WIOA when funding is available. Detailed information about applying priority of service for participants is provided within this section.

(References: WIOA Sections 134(c)(3)(E) and 194(12); Title 38 USC Section 4215; Title 20 CFR Section 1010.200; TEGL 10-09 and TEGL 19-16; WSD24-15)

1. Veterans

Providers must provide priority of service to veterans and eligible spouses for all WIOA-funded activities. While veterans and eligible spouses continue to receive priority of service among all eligible applicants, they must also meet eligibility criteria under the respective employment or training program. Verification of status for veterans and eligible spouses is not required until the veteran or eligible spouse undergoes an eligibility determination and is enrolled in a WIOA Title I program. Until the point of enrollment, a participant who states they meet the veterans' priority eligibility criteria must be afforded to veterans' priority of service on the basis of self-attestation.

In implementing priority of service, program operators must ensure that veterans and eligible spouses receive the following:

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- Basic career services and individualized career services before other non-covered individuals.
- First priority on waiting lists for training slots.
- Are enrolled in training prior to non-covered persons.

Note – Once a non-covered participant is enrolled in a workshop or training class, priority of service is not intended to allow a veteran or eligible spouse to bump the non-covered participant from that class or service.

(References: WIOA Sections 134(c)(3)(E) and 194(12); Title 38 USC Section 4215; Title 20 CFR Section 1010.200; TEGL 10-09 and TEGL 19-16; WSD24-15)

2. Related Definitions

The following definitions are only for the purposes of implementing priority of service. Additionally, the definitions of "veteran" and "eligible spouse" used in this section are applicable to the priority of service requirement and are different from, and broader than, the definitions of "veteran" and "other eligible persons" applicable to services provided by the Disabled Veterans' Outreach Program Specialist and Local Veterans' Employment Representative staff.

Armed Forces – Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard.

Covered Persons – means any of the following individuals:

- A veteran, including National Guard or Reserve personnel.
- An eligible spouse.

Eligible Spouse - the spouse (including the same-sex spouse) of any of the following:

- Any veteran who died of a service-connected disability.
- Any member of the Armed Forces serving on active duty who, at the time of application for priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - Missing in action.
  - Captured in the line of duty by a hostile force.
  - Forcibly detained or interned in the line of duty by a foreign power.
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the US Department of Veterans Affairs (VA).
- Any veteran who died while a disability, (as indicated in category 3) was in existence.

A spouse whose eligibility is derived from a living veteran or service member would lose their eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g., if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

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Non-Covered Person – Persons who are not a veteran or a veteran's spouse as relating to priority of service application.

Qualified Job Training Program – Any program or service for workforce preparation, development, or delivery that is funded in whole or in part by the DOL.

Veteran – A person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable.

3. Local Policy and Procedures for Veteran's Priority of Service

Provider staff must ensure that veterans and eligible spouses are able to identify themselves at the point of entry and are given an opportunity to take full advantage of the priority. These policies must also ensure that veterans and eligible spouses are aware of the following:

- Entitlement to priority of service.
- The full array of employment, training, and placement services available under priority of service.
- Any applicable eligibility requirements for those programs and/or services.

(References: Title 10 USC Section 101[4]; Title 38 USC Sections 101[2] and 4215[B]; WIOA Sections 134(c)(3)(E); 20 CFR Sections 1010.100, 1010.200 and 680.650; TEGL 10-09, 22-04, 22-04, Change 1 and 19-16; WSD24-15)

4. FRWDB Adult Program Priority of Service

As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA adult funds, priority of service, regardless of funding levels, must be given to recipients of public assistance: other low-income applicants who are basic skills deficient as defined in Section 5.6.

Provider staff must document in case notes verification of adult priority status that identifies, at a minimum, (1) the specific priority status for the applicant, (2) the date on which the information was obtained, and (3) the provider staff who obtained the information. Case notes must provide an auditable trail back to the source of information verified. Providers are not required to keep a hard copy of information verified in the applicant's case file.

Example: Provider staff verifies an applicant is basic skills deficient by viewing school records, specifically, enrollment in a Title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and the date of enrollment, which could allow an auditor/monitor to later retrieve the information.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority does not apply to the dislocated worker program.

(References: WIOA Section 134(c)(3)(E); Title 20 CFR Sections 680.650, 680.120, and 680.600[b]-[c], and 1010.200; TEGL 19-16; State Plan; WSD24-06 and WSD24-15)

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Written copies of local priority of service policies must be maintained at all service delivery points and, to an extent practicable, posted in a way that makes it possible for members of the general public to easily access the information.

5. Applying Priority of Service

The application of priority of service varies depending on the eligibility requirements of the particular program. The following describes how priority of service applies within certain types of DOL-funded programs:

Universal Access Programs

Basic career services are universally accessible and must be made available to all individuals seeking employment and training services in at least one comprehensive AJCC per Local Area. While veterans and eligible spouses must receive priority of service over all other program participants, priority for low-income and basic skills deficient populations does not apply to basic career services in either the adult or dislocated worker programs.

Programs with Eligibility Criteria

Eligibility criteria identify basic conditions a participant in a specific program must meet. For example, for the WIOA Title I Adult, Dislocated Worker, and Youth programs, every participant is required to meet the general program eligibility requirements listed in Section 5.2. A veteran or eligible spouse must first meet all of these eligibility criteria in order to be considered eligible for participation in the program. Once determined eligible for participation, the veteran or eligible spouse receives priority for participation in the program and receipt of services.

Programs with Statutory Priorities

Some programs are required by law to provide a priority preference for a particular group of individuals or require the program to spend a certain portion of program funds on a particular group. One example is the adult program priority for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Veterans and eligible spouses must first meet both the program's eligibility criteria and statutory priority criteria to receive priority for participation in the program and receipt of services.

Note – For income-based eligibility and for priority of service determinations, many types of military service-related income are exempt, including any amounts received as military pay or allowances paid while on active duty, or paid by the VA for vocational rehabilitation disability payments, or related VA-funded programs. For detailed information on which types of military pay that are exempt, refer to Attachment A in TEGL 10-09.

6. Priority of Service Levels

Priority must be provided in the following order for programs that require it:

Priority 1: Veterans and eligible spouses who are also recipients of public assistance,

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other low-income individuals, or individual who are basic skills deficient.

Priority 2: Individuals who are the recipient of public assistance, other low-income individuals, or individual who are basic skills deficient.

Priority 3: Veterans and eligible spouses who are not recipients of public assistance, other low-income individual, or individuals who are basic skills deficient.

Priority 4: Any individual who does not belong to one of the above groups but belongs to a priority population established by the Governor or Local Board.

Priority 5: All other individual who do not meet the above priorities.

(References: TEGL 10-09 and TEGL 19-16; WSD24-06 and WSD24-15)

5.4 Eligibility Criteria for Career and Training Services

WIOA authorizes the following services:

- Basic Career Services
- Individualized Career Services
- Training Services

While there are distinctions made between the types of services available (basic career services, individualized career services, and training services), applicants are not required to follow a sequence of services. Providers have the flexibility to provide services that best meet an applicant's needs for their employment and career goals.

(References: WIOA Section 134(c)(2)(A); Title 20 CFR Section 678.430; TEGL 19-16)

1. Eligibility for Career Services

SRT staff will conduct the initial assessment interview as described in Section 3 of this manual to ensure WIOA enrolled services are appropriate.

All applicants, Adult, Dislocated Workers, and Youth will complete the CASAS® assessment prior to eligibility.

Provider staff must follow the assessment guideline outlined OD17-18 Adult Program Assessment Requirements and OD 16-18, Youth Program Assessment Requirements to complete the enrollment.

(References: WIOA Section 134(c)(2); Title 20 CFR Section 678.430; TEGL 19-16)

2. Eligibility for Training Services

Training services include WIOA-funded and non-WIOA-funded partner training services. There is no sequence of service requirements for training. This means that the provider staff may determine training is appropriate regardless of whether the applicant has received any basic or individualized career services.

Before providing training services to adults and dislocated workers, provider staff must conduct an interview, evaluation, or assessment to determine if the applicant meets any of the following criteria:

- Unlikely or unable to obtain or retain employment that leads to economic self-

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sufficiency or wages comparable to or higher than wages from previous employment through career services alone.

- In need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment.
- Has the skills and qualifications to successfully participate in the selected program of training services.
- Unable to obtain grant assistance from other sources to pay the costs of such training, including such sources as state-funded training funds or Federal Pell Grants established under Title IV of the Higher Education Act of 1965, or requires WIOA assistance in addition to other sources of grant assistance.
- A member of a worker group covered under a petition filed for TAA and is awaiting a determination. If the petition is certified, the worker may then transition to TAA approved
- training. If the petition is denied, the worker will continue training under the WIOA.
- Selected a program of training services that is directly linked to the employment opportunities in the Local Area or region, or in another area to which the applicant is willing to commute or relocate.
- Determined eligible in accordance with the state and local priority system in effect for adults, if training services are provided through the adult program funding stream.

Where appropriate, providers are encouraged to use previous assessments when making training determinations to reduce duplicate assessments and develop enhanced alignment across partner programs. This could include common intake forms across partner programs to encourage system alignment, reduce applicant burden, and ensure customers greater access to programs based on their need.

The case file must contain a determination of the need for training services as determined through the interview, evaluation, or assessment, and career planning informed by local labor market information and training provider performance information, or through any other career service received. There is no requirement that career services be provided as a condition to receipt of training services; however, if career services are not provided before training, the provider staff must document the circumstances that justified its determination to provide training without first providing such services. There is no required minimum time period for an applicant to participate in career services before receiving training service.

(References: WIOA Section 134(c)(3); Title 20 CFR Sections 680.210 and 680.220; TEGL 19-16)

3. Self-Sufficiency

In addition to providing career and training services to applicants who are unemployed, a significant number of job seekers are underemployed. Examples of underemployed applicants may include applicants who are any of the following:

- Employed less than full-time who are seeking full-time employment.
- Employed in a position that is inadequate with respect to their skills and training.

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- Employed who meet the definition of a low-income individual in WIOA Section 3(36).
- Employed, but whose current job's earnings are not sufficient compared to their previous job's earnings.

To receive career or training services, employed adults and dislocated workers must be determined to be in need of those services to obtain or retain employment that allows for self-sufficiency.

(References: Title 20 CFR Section 680.210; TEGL 19-16; WSD23-02)

The FRWDB has defined self-sufficiency as: Any employed adult is considered economically self-sufficient if he/she has received income or is a member of a family that has received a total family income for the six (6)-month period immediately prior to application for Individualized Career Services or Training Services, that is equal to or greater than the locally defined income levels based on the 100 percent Lower Living Standard Income Level (LLSIL) established by the U. S. Department of Labor's Lower Living Standard. See section 5.7.3 for guidance for determining self-sufficiency for employed and underemployed adults.

4. Using WIOA Assistance in Addition to Other Sources of Grant Assistance

WIOA funding for training is limited to participants who are unable to obtain grant assistance from other sources to pay the cost of their training or who require assistance beyond that which is available under grant assistance from other sources to pay the cost of such training.

Programs and training providers must coordinate funds available to pay for training. In making the determination of need for WIOA assistance, Local Areas may take into account the full cost of participating in training, including support services and any other appropriate costs.

(References: Title 20 CFR Section 680.230; TEGL 19-16)

5. Local Procedures and Eligibility Criteria

In contrast to Work First programs, which hold the philosophy that any job is a good job and that the best way to succeed is to enter the labor market, the WIOA encourages Local Boards to offer higher-quality education and training options that go beyond job search.

The State Plan describes the state's commitment to a High Road workforce development approach. The High Road system centers on meaningful industry engagement and placement of Californians in quality jobs that provide economic security. A key principle of the High Road approach is job quality by building the skills of the existing workforce and bringing new workers to the associated industry sector(s). Orienting the workforce development system toward job quality serves job seekers and workers by placing them in employment that allows them to sustain a high quality of life for themselves, their families, and broader community that depends on their earnings.

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Providers may not adopt a "work first" approach for individualized and training services. The FRWDB procedures and criteria are designed to provide employment and training opportunities to those who can benefit from, and who are most in need of, such opportunities. The appropriate mix and duration of services should be based on each participant's unique needs.

WIOA-funded Adult and Dislocated Worker services may not duplicate or supplant services traditionally funded by the Wagner-Peyser Act (this does not preclude cooperative efforts among AJCC partners to provide seamless and comprehensive services to customers.)

When reviewing a participant's eligibility for basic career staff-assisted, individualized career, and training services, federal and state and local auditors and monitors will review a participant's eligibility for services against each FRWDB's eligibility policy, procedures, and definitions outlined in this manual, which comply with all federal, state, and local requirements.

(Reference: WIOA Section 194)

The FRWDB procedures and definitions for determining eligibility for training services are outlined in OD 25.18, Skill Training Process.

5.5 Eligibility Criteria for Dislocated Workers

To be eligible to receive dislocated worker services, an applicant must meet the general WIOA eligibility criteria listed in Section 5.2 and the criteria included in at least one of the dislocated worker categories outlined in this section.

Once an applicant is enrolled as a dislocated worker, the applicant retains their eligibility as a dislocated worker until exited from the program regardless of employment status or earnings. (e.g., an anticipated layoff or termination does not take place). If a participant becomes employed in a full-time, permanent job that pays a wage defined by the FRWDB as self-sufficient or leading to self-sufficiency, the participant may continue to be served, as needed, until they are formally exited from the program. However, if it is expected that the participant will not receive any future services, follow-up services may begin immediately following placement into unsubsidized employment.

(Reference: TEGL 10-16, Change 3)

1. Determining Dislocated Worker Status

In order to receive services as a dislocated worker, an applicant must meet one of the following five criteria:

a. General Dislocation. An applicants must meet **ALL** of the following criteria:
   I. An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment. This includes a separation notice, under other than dishonorable conditions, from active military service.
   II. Meets either of the following conditions:
      i. Is eligible for or has exhausted entitlement to unemployment compensation.
      ii. Has been employed for a duration sufficient to demonstrate attachment to

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the workforce but is not eligible for unemployment compensation due to insufficient earnings or because they performed services for an employer not covered under a state unemployment compensation law.

III. Is unlikely to return to a previous industry or occupation.

b. Dislocation from Facility Closure/Substantial Layoff. An applicant must meet criteria I **or** II **or** III below.

I. An applicant who was terminated or laid off, or who 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.

II. An applicant employed at a facility at which the employer made a general announcement that such facility will close within 180 days.

III. For purposes of eligibility for services other than training services included in WIOA Section 134(c)(3), career services included in WIOA Section 134(c)(2)(A)(xii), or supportive services, an applicant must be employed at a facility at which the employer made a general announcement that such facility will close.

c. Self-employed Dislocation. An applicant who was self-employed (including farmers, ranchers, fishermen, independent contractors, and consultants) but is unemployed as a result of general economic conditions in the community in which the applicant resides or because of a natural disaster.

d. Displaced Homemaker. An applicant who has been providing unpaid services to family members in the home and meets criteria I **and** II:

I. Meets either of the following conditions:

i. Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce).; or

ii. Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability.

II. Is unemployed or underemployed and having trouble obtaining or upgrading employment.

e. Spouse of Military Service Member. A spouse of a member of the Armed Forces on active duty who meets either criteria I **or** II:

I. Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the service member’s duty station.

II. Is unemployed or underemployed and having trouble obtaining or upgrading employment.

(References: WIOA Sections 3(15)-(16); Title 20 CFR Sections 680.130, 680.660, and 682.305; TEGL 19-16) Refer to Section 6.2 for local definitions and standards for the eligibility criteria.

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2. Definitions and Standards for Eligibility Criteria

Attachment to the Workforce: "Verification of attachment to the workforce is only necessary when an applicant was employed by an employer who is not covered under UI or has not worked a sufficient amount of time to qualify for UI.

Additionally, a separating service member who was discharged or released under conditions other than dishonorable, has demonstrated attachment to the workforce.

(References: WIOA Section 3(15)(A)(ii); Title 20 CFR Section 680.660)

The FRWDB defines "Attachment to the Workforce" as: A period of 90 cumulative full or part-time workdays within the last two (2) years prior to the date of the WIOA application. For this definition, a workday can include as little as two (2) hours of work. Part-time employment conditions that, by their nature or design, restrict the number of hours available for work on any day are acceptable in determining sufficient attachment. Examples include, but are not limited to school aids, babysitters, domestics, etc.

General Announcement: The FRWDB established the following criteria for documenting "General Announcement' of intended layoffs: Providers must provide documentation of the layoff with a credible source of information, or a documented confirmation from the employer (e.g., WARN, a newspaper article or public notice).

General Economic Conditions: **The FRWDB had defined General economic conditions as follows:** economic conditions that have a direct adverse effect on a self-employed applicant(s) and are beyond one's control. Examples include but are not limited to self-employment, which has little demand or has been declining in the local area, seasonal factors, unforeseen or unusual operating costs, and depressed market conditions.

Substantial Layoff: "Substantial layoff" is not defined in the WIOA or DOL regulations. The Worker Adjustment and Retraining Notification (WARN) protects employees and communities by requiring that employers give a 60-day notice to the affected employees and both state and local representatives prior to a plant closing or mass layoff. In California, the threshold for WARN notification, which can be interpreted as a substantial layoff, is any plant closure affecting any number of employees, or a layoff of 50 or more employees within a 30-day period regardless of the percentage of the workforce, or relocation of at least 100 miles affecting any number of employees

Unlikely to Return: **The FRWDB has defined "Unlikely to return" as follows:**

- Worked in a declining industry/occupation, as documented on state or locally developed lists of such industries/occupations. State lists are available from the EDD's Labor Market Information Division. Local lists must be developed by an appropriate entity, such as the Chamber of Commerce, Local Board, economic development agency, a qualified consultant/educational entity, or other valid public use quality source of labor market information.
- Has had a lack of job offers as documented by local EDD Workforce Services or

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UI staff, rejection letters from employers in the area, or other documentation of unsuccessful efforts to obtain employment in the prior industry/occupation.

- Worked in an industry/occupation with limited job orders in the CalJOBS℠ system at the time of eligibility determination, as certified by staff.
- Is insufficiently educated and/or does not have the necessary skills for reentry into the former industry/occupation, as documented through the assessment of the applicant's educational achievement, testing, or other suitable means.
- Has physical or other challenges which would preclude reentry into the former industry/occupation, as documented by a physician or other professional (e.g., psychiatrist, psychiatric social worker, chiropractor, etc.).
- The applicant would be required to relocate to an area where the previous occupation is in demand.
- Change in family situation which requires higher income.
- Natural disaster that results in loss of wages
- A college degree was not required when an applicant started in their previous occupation but is under the current labor market.

If an applicant is likely to return to their previous industry or occupation, they should not be served as a dislocated worker during the period leading up to the date of their return to work but may be served in the adult program.

(References: Title 20 CFR Section 680.130; TEGL 19-16)

Farmworkers, Ranchers, and Fishermen: Applicants that may have worked seasonally can be considered "unlikely to return" to work in a previous industry or occupation for a variety of reasons:

- Change in family situation requiring a higher income.
- Disability that precludes returning to the same occupation.
- Natural disaster that results in lost wages.
- Loss of agricultural land.
- Mechanization.
- Any significant variance to normal seasonal employment patterns resulting in uncertain return-to-work dates.

Additionally, permanent closures or substantial layoffs from agricultural enterprises or facilities such as packaging or canneries are not excluded from the standard under WIOA. The WIOA Section 3(15)(C) standard regarding those that were self-employed includes employment as farmers, ranchers, or fishermen and are unemployed due to economic conditions that resulted from general economic conditions in the community in which the applicant resides or because of natural disasters. These conditions may include extreme or unusual weather patterns and agricultural and fishing market downturns.

Profiled and Referred UI Claimants – UI profiling refers to a process which uses an automated system to identify claimants likely to exhaust regular UI benefits. After a UI claim is filed and the first payment is made, the EDD's Worker Profiling and Reemployment Services System identifies claimants likely to exhaust their benefits

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and refers those claimants to the mandatory Reemployment Services and Eligibility Assessment (RESEA) through the CalJOBS℠ system.

The Governor has determined that the UI profiling methodology and referral process meets the dislocated worker eligibility criteria in WIOA Section 3(15). In this instance, if an applicant receives an RESEA appointment then no further documentation is needed to establish the "unlikely to return" criterion at WIOA 3(15)(A)(iii).

(Reference: Title 20 CFR Section 680.130[b][3])

3. Layoffs, Furloughs, Temporary Layoffs, and Lockouts

Layoff: The permanent or temporary termination of employment of an employee due to a position being abolished, insufficient funds, lack of work, or any other reason not reflecting discredit on the employee (such as dismissal for inadequate performance, violation of workplace rules, cause, etc.).

Furlough: The placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons (Title 5 USC Section 7511[a][5]). As such, it is a temporary termination of employment or layoff.

Applicants that are furloughed are laid off. Depending on the local definition of "unlikely to return," the circumstances of the applicant, and local economic conditions, furloughed applicants may or may not be likely to return to their previous industry or occupation. If these applicants are likely to return to their previous industry or occupation and need more than basic career services, they may be served as adults, provided they meet the general eligibility criteria outlined in Section 5.2. In some cases, a business, company, or corporation's furloughs are in fact substantial layoffs and the "unlikely to return" provision does not apply. Local Boards have the discretion to define substantial layoffs since the definition depends on local economic conditions.

Lockout: Any refusal by an employer to permit any group of five or more employees to work as a result of a dispute with such employees affecting wages, hours, or other terms or conditions of employment of such employees (California Labor Code Section 1132.8). A lockout does not terminate the employer-employee relationship, so locked out employees are not eligible dislocated workers since they have not been terminated or laid off, they are not eligible for unemployment compensation, and they are likely to return to the same industry or occupation once the dispute is resolved. The same guidance applies to employees that are on strike. There may be locked out employees who for financial reasons seek other employment. These applicants may be served as adults, provided they meet the general eligibility criteria outlined in Section 5.2.

4. Veterans and Military Spouses

Veterans

One of the criteria used to establish eligibility for a dislocated worker is determining whether the worker was terminated or laid off. Per the DOL, a separating service member with a discharge that is anything other than dishonorable qualifies the applicant for dislocated worker activities provided:

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- The separating service member has received a DD Form 214 Report of Separation or other documentation showing a separation or imminent separation from the Armed Forces to satisfy the termination or layoff part of the dislocated worker eligibility criteria.
- The separating service member qualifies for the dislocated worker eligibility criteria on eligibility for or exhaustion of unemployment compensation.
- As a separating service member, the applicant meets the dislocated worker eligibility criteria that the applicant is unlikely to return to the previous industry.

(Reference: Title 20 CFR Section 680.660)

Military Spouses

WIOA expanded the definition of dislocated workers and displaced homemakers to include military spouses. Military spouses who meet the following criteria are eligible for dislocated worker services:

- The military spouse meets the WIOA general eligibility criteria; **and**
- The military spouse has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of the spouse, or is unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment; **or**
- The military spouse's family income is significantly reduced because of any of the following:
  - A deployment.
  - A call to active duty.
  - A permanent change of station.
  - The service-connected death or disability of the service member.

(References: WIOA Sections 3[15][E] and 3[16][A]; TEGL 19-16)

5. Related Definitions

Active Duty – Full-time duty in the active military service of the United States. Active duty includes full-time training duty, annual training duty, and attendance, while in the active military services, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty. (Reference: Title 10 USC Section 101[d][1])

Armed Forces – Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard. (Reference: 10 USC Section 101[4])

Employment Status – This following information is to be collected directly from the applicant, not from wage records:

- Employed
  - Did any work at all as a paid, unsubsidized employee on the date participation occurs.
  - Worked 15 hours or more in an unpaid job on a farm or business operated by a family member. (Reference: TEGL 10-16, Change 3, Attachment 1)

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- Employed, but received notice of termination or military separation.
  - Has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close.
  - Is a transitioning service member.
- Not Employed
  - Those that do not meet any one of the conditions described above.
- Underemployed
  - Applicants are employed less than full-time, who are seeking full-time employment.
  - Applicants who are employed in a position that is inadequate with respect to their skills and training.
  - Applicants who are employed and meet the definition of low-income.
  - Applicants who are employed, but whose current job earnings are not sufficient compared to their previous job earnings from their previous employment.

  (Reference: TEGL 19-16)

Military Spouse – An applicant who is married to a member of the Armed Forces on active duty or the surviving spouse of an active-duty service member who lost their life while on active-duty service. Consistent with TEGL 26-13, the definition of "military spouse" includes same-sex spouses.

5.6 Additional Eligibility Criteria for Youth

To be eligible to receive youth services, an applicant must meet the general WIOA eligibility criteria listed in Section 5.2 and the additional program eligibility criteria included in this section. Local policy, procedures, and definitions may be established wherever there is flexibility authorized by the WIOA and DOL regulations.

Provider staff are required to provide case management to all youth participants. Case management is the act of connecting youth to appropriate services and begins at the point of enrollment and must continue throughout program participation and follow-up. Note that case management is not a program element and does not extend a youth's participation.

Provider staff must provide each participant with information on all applicable or appropriate services that are available through the AJCC system that support the participant's applicant service strategy and ensure participants receive referrals to appropriate training and educational programs that have the capacity to serve the participant.

(References: WIOA Sections 129(c)(3)(A)(i) and (ii); 20 Title CFR Section 681.420(a)(3); TEGL 21-16)

1. Eligibility for Out-of-School Youth Services

To receive services as an OS youth, an applicant must meet the following requirements.

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Eligible OS Youth – Meets the definition provided below:

- Not less than 16 years of age and not more than 24 years of age.
- Not attending any secondary or postsecondary school.
- Has one or more of the following barriers in the table below:

Note: Source documentation for at least one of the barriers listed below must be uploaded with the eligibility packet. In addition, all applicable barriers must be identified on the WIOA application.

The following table provides clarity on the requirements to meet OS youth eligibility:

Definition of Barriers for Eligibility of OS Youth:	
Barrier 1	A school dropout.
Barrier 2	Within the age of compulsory school attendance but has not attended school for at least the most recent complete school year quarter.
Barrier 3	A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner.
Barrier 4	An offender.
Barrier 5	• A homeless individual. • A runaway.
Barrier 6	• In foster care. • Has aged out of the foster care system. • Has attained 16 years of age and left foster care for kinship, guardianship, or adoption. • A child eligible for assistance under Section 677 of the Social Security Act (42 USC Section 677). • In an out-of-home placement.
Barrier 7	Pregnant or parenting (including custodial and non-custodial parents).
Barrier 8	A youth with a disability.
Barrier 9	A low-income individual who requires additional assistance to enter or complete an education program or to secure or hold employment. Refer to Section 5.6.6 for the FRWDB defined criteria for documenting eligibility for the additional assistance barrier.

(References: Title 20 CFR Section 681.210; WSD17-07)

2. Eligibility for In-School Youth Services

To receive services as an in-school (IS) youth, an applicant must meet the following requirements.

Eligible IS Youth – Meets the definition provided below:

- Is not less than 14 years of age and not more than 21 years of age (Youths with disabilities who are in an individualized education program at the age of 22 may be enrolled as an IS youth).
- Attending school, including secondary and postsecondary school.
- Low-income individual.
- Basic skills deficient (local mandated barrier).

Note: Youth are only required to meet the locally mandated basic skills deficient

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barrier. However, provider staff must identify all additional barriers applicable to the youth from the table below on the WIOA application, except in the case of IS youth who require additional assistance to complete an education program or to secure or maintain employment. Provider staff are not required to upload source documentation for the additional barriers with the eligibility packet.

The following table provides clarity on the requirements to meet IS youth eligibility:

Definition of Barriers for Eligibility of IS Youth:	
Barrier 1	An English language learner.
Barrier 2	An offender.
Barrier 3	• A homeless individual, • A runaway.
Barrier 4	• In foster care • Has aged out of the foster care system. • Has attained 16 years of age and left foster care for kinship, guardianship, or adoption. • A child eligible for assistance under Section 677 of the Social Security Act (42 USC Section 677). • In an out-of-home placement.
Barrier 5	Pregnant or parenting (including custodial and non-custodial parents).
Barrier 6	A youth with a disability.
Barrier 7	A low-income youth who requires additional assistance to complete an education program or to secure or hold employment. Refer to Section 5.6.6 for the FRWDB defined criteria for documenting eligibility for the additional assistance barrier. Note – No more than five percent of IS youth enrolled in a given program year may be found eligible based solely on meeting this category. WIOA **Youth programs should only report IS youth as having this barrier if it is their only barrier, and therefore the barrier is used for eligibility determination.**

(References: WIOA Section 129(a)(3); Title 20 CFR Sections 681.220 and 681.310; TEGL 09-22; WSD17-07)

3. Five Percent Limitation for In-School Youth Eligibility

Not more than five percent of the IS youth newly enrolled in a given program year (PY) in Fresno County may be eligible based on the "requires additional assistance to complete an educational program or to secure or hold employment" criterion. To ensure as many IS youth as possible are served, providers should only report a youth as having this barrier if it is their only barrier.

Note – The five percent limitation for IS youth who require additional assistance is not the same as the five percent low-income exception. (Reference: TEGL 09-22)

4. Five Percent Low-Income Eligibility Exception

WIOA maintains a five percent low-income eligibility exception under which five percent of Local Area youth who ordinarily would need to be low-income do not need to meet the low-income provision. Providers must calculate the five percent based on the percentage of newly enrolled youth in the FRWDB WIOA youth program in a given PY who would ordinarily be required to meet the low-income requirement.

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To determine whether a youth must be low-income in order to qualify for the youth program, Providers must first consider whether the participant is an OS youth or IS youth. The low-income requirement applies only to OS youth with certain barriers (see the section on Eligibility for OS Youth), whereas all IS youth must be low income unless the five percent eligibility exception is applied.

The five percent low-income exception may include OS youth, IS youth, or a combination of both, but must not exceed five percent of all WIOA youth participants served in a given PY.

Before enrolling any youth under the five percent low-income exception, the provider must run the low-income exception report to confirm that system enrollments remain below the five percent threshold. A copy of the report must be uploaded with the eligibility packet, and a detailed case note must be included in the participant's case notes. (References: Title 20 CFR Section 681.250; WSD17-07)

5. Local Definitions and Eligibility Criteria

a. Basic Skills Deficient – Meets the following definition with respect to an applicant:
   I. A youth who has English, reading, writing, or computing skills at or below the 8th grade level of a generally accepted standardized test.
   II. A youth or adult who is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job, in the applicant's family, or in society.

b. Criteria used to determine whether an applicant is basic skills deficient includes the following:
   I. Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
   II. Enrolled in a Title II Adult Education/Literacy program.
   III. English, reading, writing, or computing skills at an 8.9 or below grade level.
   IV. Determined to be Limited English Skills proficient through staff-documented observations.
   V. Other FRWDB objective criteria:
   VI. Providers must use assessment instruments approved by the FRWDB, as specified in OD 16-18 (Youth Program Assessment Requirements) and OD 17-18 (Adult Program Assessment Requirements). They must also ensure that reasonable accommodations are provided during the assessment process, when necessary.

Refer to the WIOA Acceptable Documentation List for more detailed information on determining whether an applicant meets the basic skills deficient criterion. (References: WIOA 3[5]; Title 20 CFR Section 681.290; WSD24-06)

6. Use of Funds for Youth Who Require Additional Assistance

Section 3 describes the five percent limitation for IS youth where no more than five percent of IS youth in a given PY may be found eligible based on the criterion "requires additional assistance to complete an educational program or to secure or hold or to secure or hold employment."

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For OS youth, the criterion is similar, but the provision is changed to add the phrase "to enter": an applicant who requires additional assistance "to enter" or complete an educational program or to secure or hold employment. (References: Title 20 Sections 681.300 – 681.310; WSD17-07)

The FRWDB has defined the following criteria to document eligibility for the Additional Assistance Barrier for IS: IS who "requires additional assistance to complete an educational program, or to secure and hold employment" and OS youth who require additional assistance to enter or complete an educational program, or to secure and hold employment, where it has been documented that one (1) of the following specific barriers exist:

- Is at risk of dropping out of school (any one of the following) **(In School only)**:
  - Are at least two (2) semester classes behind the rate required to graduate on time with high school class as documented by a school official.
  - Has a cumulative GPA or less than 2.0
  - Has a score of "below basic" or "far below basic" on both the English and Math California Standards Test [most current score]
- Previously dropped out of school but has since returned to high school.
- Has experienced recent traumatic events, is a victim of abuse, or resides in an abusive environment, as documented by a school official or professional.
- Gang-involved as documented by gang-related behavior, tattoos, clothing, association with gang members, or self-admitted gang membership.
- Transgender and gender non-conforming youth.
- Has completed a substance abuse program.
- Have serious emotional, medical, or psychological problems as documented by a professional.
- Poor Employment History **(Out of School ONLY)**
  - Has not had the opportunity to gain the necessary knowledge, experience, and skills to find and maintain full-time stable employment (for more than 13 consecutive weeks), **and**
  - Has only been able to access part-time, temporary, or seasonal employment.
- Family Barriers (any one of the following):
  - Has a family history of long-term unemployment, i.e., parents/guardians have been unemployed for seven (7) of the past 12 months
  - During the past two (2) years, parents/guardians have been unable to find and maintain full-time stable employment; these multiple breaks in employment may have required reliance on unemployment, food stamps, or other government assistance
  - Has a family history of long-term public assistance (i.e., family has received CalWORKs/TANF and/or food stamps for one (1) year or more)
- Resides in a Non-Traditional Family Setting (any one of the following):
  - Being raised in a single parent household, without access to the financial and parenting support of another adult in the home
  - Being raised by a guardian, relative or non-parent responsible for youth's care

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- Parent is currently in jail or in prison or has been in jail or in prison for six (6) months of the past two (2) years

Dropout: School dropouts and youth who are within the age of compulsory school attendance but have not attended school for at least the most recent complete school year quarter are two separate barriers but share many of the same characteristics. The confusion for a youth within compulsory school age is determining an exact date for when dropout occurred or if instead the Local Area must wait one school quarter for the youth to qualify for the OS youth program.

Neither the California Department of Education (CDE) nor the US Department of Education (DOE) have established a set number of days a student must miss before the school determines dropout status. Instead, the CDE and DOE define dropout for the purpose of annual statistics. Local educational agencies are responsible for reporting student exit codes for annual dropout rate statistics to the CDE (California Education Code 48070.6). This means Local Areas working with school districts are in the best position to determine dropout status.

Note that a school district may designate a youth as a dropout prior to the end of a school quarter, which would qualify the youth as a dropout. Conversely, a school district may not report dropout status well past a school quarter, in which case the youth may qualify under the compulsory school age barrier.

Compulsory School Age: Compulsory school attendance in California is between the ages 6 and 18. On a youth's 18th birthday, the youth is no longer subject to compulsory attendance, but they may continue to attend school until high school graduation. The CDE strongly recommend that 18-year-old high school students finish their high school education, but it is not a legal mandate for them to attend after their 18th birthday.

(Reference: Education Code [EC] Section 48200) A youth who chooses not to attend school after their 18th birthday may be reported as a dropout.

The following table will help Local Areas distinguish these two barriers:

Dropout	Within compulsory school age
• Age 16-24 years old	• Age 16-17 years old
• Not attending school	• Not attending school
• Has not received a secondary diploma or GED	• Has not received a secondary diploma or GED
No specific wait time: • The school district identifies a youth who is under 18 years of age as a dropout. • The youth is 18 - 24 years old and self-attests to dropout status. This includes 18-year-olds who attend school on the day previous to dropping out.	Must not have attended school for a school/calendar quarter.

Truancy: California defines truancy as being absent from school without a valid excuse for three full days in one year or tardy or absent more than any 30-minute period during the school day without a valid excuse on three occasions in one year,

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or any combination thereof, unless excused or exempted. A truant (and also a dropout) is in violation of California's compulsory school attendance laws and is subject to arrest, and the parents are subject to infraction fines. Additionally, a school district is not permitted to sanction violation of truancy laws by issuing a youth a work permit. A truant (and also a dropout) is subject to arrest, and the parents are subject to infraction fines if the minor is found working without a work permit. (References: EC Sections 48260, 48264, 48293, and 49112)

7. Youth Related Definitions

Attending School: an applicant is considered to be attending school if the applicant is enrolled in secondary or post-secondary school. If a youth is between high school graduation and postsecondary education, the youth is considered an IS youth if they are registered for postsecondary education, even if they have not yet begun postsecondary classes. However, if the youth registers for postsecondary education, but does not follow through with attending classes, the youth is considered OS youth if the eligibility determination is made after the youth decided not to attend postsecondary education. Youth on summer break are considered IS youth if they are enrolled to continue school in the fall.

Not Attending School: an applicant who is not attending a secondary or post-secondary school. In addition, applicants enrolled in the following programs would be considered an OS youth for eligibility purposes:

- WIOA Title II Adult Education, YouthBuild, Job Corps, high school equivalency program, or dropout re-engagement programs. However, youth attending high school equivalency programs funded by the public K-12 school system who are classified by the school system as still enrolled in school are the exception; they are considered IS youth.
- Non-credit bearing postsecondary classes only.
    - Note – Youth enrolled in any credit-bearing postsecondary education classes, including credit-bearing community college classes and credit-bearing continuing education classes, then they are considered attending postsecondary education, and, therefore, an IS youth.
- A charter school program that provides instruction exclusively in partnership with WIOA, federally funded YouthBuild programs, federal Job Corps training, instruction, California Conservation Corps, or a state certified local conservation corps (in alignment with EC Section 47612.1).

  More detailed guidance related to determining an applicant's school status can be found in TEGL 21-16. (References: 20 CFR Sections 681.210-681.230; TEGL 21-16; State Plan; WSD17-07)

Offender: Any adult or juvenile who meets the following criteria:

- Is or has been subject to any stage of the criminal justice process, for whom services under the WIOA may be beneficial.
- Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

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(Reference: WIOA Section 3[38])

Out-of-Home Placement: Encompasses the placements and services provided to youths and families when a youth must be removed from their homes because of safety concerns, as a result of serious parent-youth conflict, or to treat serious physical or behavioral health conditions which cannot be addressed within the family. Youth in out-of-home care may live in a number of possible settings. These include kinship or relatives' homes, family foster homes, treatment foster homes, or group or residential care. (US Department of Health and Human Services information)

Pregnant or Parenting Youth: An applicant who is pregnant or a custodial or non-custodial parent including non-custodial fathers.

Postsecondary School: Postsecondary education means a formal institutional educational program whose instruction is designed primarily for students who have completed or terminated their secondary education or are beyond the compulsory age of secondary education, including programs whose purpose is academic, vocational, or continuing professional education. (EC 94857)

School Dropout: an applicant who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent (WIOA Section 3[54]). In accordance with TEGL 08-15, this term does not include applicants who dropped out of postsecondary school.

Secondary School: a nonprofit institutional day or resident school, including a public secondary charter school, which provides secondary education, as determined under state law, except that the term does not include any education beyond grade 12 (Title 20 USC Section 1401[27]).

5.7 Low-Income Determination

The determination of low-income status applies to the WIOA youth and adult programs. Income verification is not required for: Individuals who meet any of criteria listed in Section 5.7.1 or Youth who qualify under the low-income exception criteria listed in Section 5.7.2.

Source documentation supporting the criteria used to document low-income status must be uploaded with the eligibility packet.

1. Low-Income Individual

a. Low-Income Individual - An applicant who meets the following criteria:

- Receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received:
  - Supplemental nutrition assistance program (SNAP).
  - Temporary assistance for needy families (TANF).
  - Supplemental security income (SSI).
  - Local income-based public assistance.
- Is in a family with a total family income that does not exceed the higher of the following:

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- The federal poverty line.
- Seventy percent of the LLSIL.

- Qualifies as a homeless individual.
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act.
- Is a foster child on behalf of whom state or local government payments are made.
- Is an individual with a disability whose own income meets the requirements of a program described in (2), but who is a member of a family whose income does not meet such requirements.

(Reference: WIOA Section 3[36])

2. Low-Income Exceptions for Youth

In addition to the above criteria, an IS youth or OS youth automatically qualifies as low-income if the youth live in a high-poverty area. A high-poverty area is one of the following that has a poverty rate of at least 25 percent as set every 5 years using American Community Survey (ACS) 5-Year data:

- A County
- A Census tract
- A set of contiguous Census tracts
- An American Indian Reservation
- Other tribal land as defined by USDOL in guidance

Local Areas may access ACS 5-Year data on the US Census Fact Finder website to determine the poverty rate. WSD17-07 provides step-by-step instruction on how to calculate the poverty rate. (References: Title 20 CFR Section 681.260; TEGL 21-16, WSD17-07)

Additionally, an IS youth who receives or is eligible to receive free or reduced-price lunch would meet low-income requirements. However, in schools where the entire school automatically receives free or reduced-price lunch, WIOA programs must base low-income status on the applicant student's eligibility to receive free or reduced-price lunch or on their ability to meet one of the other low-income categories outlined above.

In accordance with TEGL 21-16, an OS youth who is a parent living in the same household as a child who receives or is eligible to receive free or reduced-price lunch based on their income level, can also meet low-income criteria in the same manner as IS youth based on their child's qualification. (References: TEGL 21-16; WSD17-07)

3. Determining Low-Income Status

Low-income status is considered a barrier to employment and is used to determine priority of service for the Adult Program as well as eligibility for the Youth Program. Income is also a factor in calculating economic self-sufficiency for employed and underemployed adults and is included in the definition of a displaced homemaker.

Under WIOA, only the income received during the six-month period immediately prior

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to an applicant's request for WIOA-funded services is considered when determining eligibility. Depending on the applicant's circumstances, income calculations may include only the individual's income (e.g., out-of-family youth) or the total family income. Total family income includes the income of all family members living in the same household.

The Lower Living Standard Income Level (LLSIL) and federal poverty guidelines are used to establish low-income status for WIOA Title I programs. The US Department of Labor and the US Department of Health and Human Services update these guidelines yearly.

To determine low-income status, refer to Table 1: Annual 70% LLSIL and Federal Poverty Guidelines – 70% LLSIL West Metro on the EDD's Federal LLSIL and Poverty Guidelines web page at EDD Federal Lower Living Standard.

To determine eligibility for employed and underemployed adults, annual income must be at or below the FRWDB-established self-sufficiency guidelines, as shown in the following table:

FRWDB Self-Sufficiency Income Guidelines			
Family Size	**100% LLSIL**	**% of LLSIL**	**Annual Income**
1	$21,087	175%	$36,902
2	$34,559	165%	$57,022
3	$47,447	150%	$71,171
4	$58,573	150%	$87,860
5	$69,116	150%	$103,674
6	$80,840	150%	$121,260
7	$92,564	150%	$138,846
8	$104,288	150%	$156,432
For Each Additional Add:	$11,724	150%	$17,586

Note: Income for employed and underemployed adults will be reviewed for the current program year by family size, and participants must not be in receipt of any form of public assistance other than health services. If at the time of application, the participant is receiving public assistance (cash funds or food stamps only), the participant would be enrolled as a low-income adult (even if employed), and the income would be entered as zero on the application.

To determine total family income for self-sufficiency, income shall include earnings from all family members, including income from dependent children who are in a single residence with the employed participant. No Income or services from a federal, state, or local social services agency shall be included in the total family income.

4. Low-Income Related Definitions

Lower Living Standard Income Level: The income level (adjusted for regional, metropolitan, urban, and rural differences and family size), determined annually by the US Department of Labor based upon the most recent lower living family budget. The LLSIL is published annually in the Federal Register. (Reference: WIOA Section 3[36][B])

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Federal Poverty Line: The income level at which families are considered to live in poverty, as annually determined by the US Department of Health and Human Services. The poverty level is published annually in the Federal Register. (Reference: Title 42 USC Section 9902[2])

Public Assistance: Federal, state, or local government cash payments for which eligibility is determined by a needs or income test. The statutory definition of public assistance contains a two-part test:

- The program must provide cash payments.
- Eligibility for the program must be determined by a needs or income test.

(Reference: WIOA Section 3[50])

Homeless: Any adult or youth meeting the conditions as defined in the Violence Against Women Act of 1994 (Title 42 USC Section 14043e-2[6]) or the McKinney-Vento Homeless Assistance Act (Title 42 USC Section 11434a [2]). Conditions include the following:

- An individual who lacks a fixed, regular, and adequate night-time residence to include any of the following:
  - Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
  - Living in a motel, hotel, trailer park, or campground due to lack of alternative adequate accommodations.
  - Living in an emergency or transitional shelter.
  - Abandoned in a hospital.
  - Awaiting foster care placement.
- An individual who has primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation (e.g., cars, parks, public spaces, abandoned buildings, substandard housing, bus train station, or similar settings).
- A child who is a migratory agricultural worker or fisher or living with a parent who is a migratory agricultural worker or fisher and is living in circumstances described above.

Individual with a Disability: The term disability means one of the following, with respect to an applicant:

- A physical or mental impairment that substantially limits one or more of the major life activities:
  - Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
  - Major life activities also include the operations of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

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- A record of such an impairment; or
- Being regarded as having such impairment.
    - The applicant establishes that they have been subjected to an action prohibited under the Americans with Disabilities Act (ADA) because of an actual or perceived physical or mental impairment, whether or not the impairment limits or is perceived to limit a major life activity.
    - "Being regarded as having such an impairment" shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

(Reference: Title 42 USC Section 12102)

Emancipated Minor: Any person under the age of 18 who meets any of the following criteria:

- Has entered into a valid marriage, whether or not such marriage was terminated by dissolution.
- Is on active duty with any of the armed forces of the United States of America.
- Has received a declaration of emancipation pursuant to California Family Code 7122.

(Reference: California Family Code, Section 7002)

Runaway Youth: A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of a parent or legal guardian. (Reference: Title 42 USC Section 5732 a [4])

Out-of-Family Youth: Court adjudicated youth separated from the family (including incarcerated youth), homeless runaway, and emancipated youth. For purposes of determining income eligibility, out-of-family youth are considered a "family of one."

Family: Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple and dependent children.
- A parent or guardian and dependent children.
- A married couple.

Refer to the WIOA Title I Acceptable Documentation List for a list of documents that can be used to determine family size.

(References: Title 20 CFR Section 675.300; TEGL 21-16)

Foster Child: A youth participant who is currently in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under the John H. Chafee Foster Care Independence Program, or in an out-of-home placement.

(References: Title 20 CFR Sections 681.210 and 681.220; TEGL 21-16)

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5. Dependent Children

Dependent Children: Children who can be claimed as a dependent on their parent's income tax return. To meet the Internal Revenue Service qualifications a child must meet relationship, age, residency, support, and joint return criteria:

- Relationship – A child must be as follows:
  - A son, daughter, stepchild, foster child, or a dependent, including adopted and foster child).
- Age – A child must be as follows:
  - Under age 19 at the end of the calendar year.
  - A student under the age of 24 at the end of the calendar year.
  - Permanently and totally disabled at any time of the year regardless of age.
- Residency – A child must have lived with the WIOA participant for more than half the year (Exception to the time requirement include temporary absences, children who were born or died during the year, kidnapped children, and children of divorced or separated parents).
  - Temporary absences include illness, education, business, vacation, military service, and detention in a juvenile facility.
- Support – A child pays less than half of their own support for the year.
- Joint return – A child cannot file a joint tax return for the year unless the joint return is only to claim a refund of income tax withheld or estimated tax paid:
  - Example of joint return exception: A WIOA participant's 18-year-old son and his 17-year-old wife had $800 of wages from part-time jobs and no other income. They lived with the WIOA participant all year. Neither is required to file a tax return, but taxes were taken out of their pay, so they filed a joint return only to get a refund of the withheld taxes.

For additional examples of each qualifying criterion see IRS publications on personal exemptions and dependents.

FRWDB local dependency policy and procedures: The parent(s) or guardian(s) must provide a copy of their most recent 1040, 1040A or 1040EX federal tax return to WIOA provider of services to determine dependency status. The tax return must show the youth as a dependent of the parent(s) or guardian(s). In the event a copy of the federal tax return is not available, a signed Applicant Statement from the parent(s) or guardian(s) will suffice.

Included Income

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

- Monetary compensation for services, including wages, tips, salary, commissions, or fees before any deductions.
- Net receipts from non-farm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership, after deductions for business expense).

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- Net receipts from farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses).
- Regular payments from railroad retirement, strike benefits from union funds, worker's compensation, and training stipends (e.g., wages from the California Conservation Corp).
- Alimony, military family allotments, or other regular support from an absent family member or someone not living in the household.
- Private pensions, government employee pensions (including military retirement pay).
- Regular insurance or annuity payments (including state disability insurance).
- College or university scholarships (not needs-based), grants, fellowships, and assistantships.
- Net gambling or lottery winnings.
- Severance payments.
- Terminal leave pay.
- Social Security Disability Insurance (SSDI) payments.
- Social Security old age and survivors' insurance benefits.
- Unemployment insurance.
- Regular child support payments (including foster care payments).

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

- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants.
- Supplemental Educational Opportunity Grants and Federal Work Study.
- Needs-based scholarship assistance.
- Loans.
- Veterans' benefits.
- All pay and/or financial allowances earned while the veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and education assistance. (Title 20 CFR Section 683.230)
- Capital gains.
- Any assets drawn down as withdrawals from a bank, the sale of property, a house, or a car.
- Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury.
- Non-cash benefits such as employer paid, union-paid portion of health insurance or other fringe benefits, food or housing received in lieu of wages.
- The value of food and fuel produced and consumed on farms.
- The imputed value of rent from owner occupied nonfarm or farm housing.
- Indian General Welfare Benefits (Reference: Title 26 USC Section 139E)
- Medicare, Medicaid, food stamps, school meals, and housing assistance, and other state or local income-based public assistance.
- Allowances, earnings, and payments to applicants participating in programs under

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WIOA Title 1. (Reference: Title 20 CFR Section 683.275[d])

- When a federal statute excludes income received under that statute in determining eligibility for programs operated under other federal laws, such income is excluded in WIOA eligibility determination as well.

(Reference: WIOA Section 3[36])

6. Calculating Income

Applicants normally receive income as salary, varying, or intermittent payments. Local Areas may calculate an applicant's income using the following methods:

Salary: Salary is income received without variation in gross pay from pay period to pay period. Salary information may be provided in a series of pay stubs or one, cumulative pay stub.

To determine an applicant's gross income for the most recent six-month time period, multiply the applicant's weekly gross pay by 26, bi-weekly pay by 13, bi-monthly pay by 12, or monthly pay by 6.

Example: Bi-weekly pay stubs indicate a gross amount of $548.

$548 x 13 = $7,124, the income for the most recent six-month time period

To determine the applicant's annual gross income, multiply their weekly gross pay by 52, bi-weekly pay by 26, bi-monthly pay by 24, or monthly pay by 12.

Example: Year-to-date earnings of $16,812 with bi-monthly payments. There were 18 bi-monthly payments of $934.

$16,812 ¸ 18 = $934, the bi-monthly payment amount
$934 x 24 = $22,416, the annual gross income

Varying: When reported earnings vary from pay period to pay period, annualize the average of the earnings submitted. The earnings may be submitted on a number of pay stubs or on one cumulative pay stub.

Example: Six weekly pay stubs report the following gross earnings: $534, $475, $398, $534, $498, and $534.

Add: $534 + $475 + $398 + $534 + $498 + $534 = $2,973
Divide: $2,973 ¸ 6 = $495.50, the average gross weekly earnings
Multiply: $495.50 x 52 = $25,766, the annual gross income

Intermittent: Earnings are varied and include periods of unemployment. With as much data as possible, determine the annual gross income by adding the reported earnings.

For more information on how to use the LLSIL and poverty guidelines to determine low-income status or self-sufficiency for WIOA Title I programs, refer to the LLSIL and Poverty Guidelines Directive WSD24-02

5.8 Definitions

Below is a list of terms defined throughout this Section.

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Active Duty: Full-time duty in the active military service of the United States. Active duty includes full-time training duty, annual training duty, and attendance, while in the active military services, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty. (Reference: Title 10 USC Section 101[d][1])

Armed Forces: Includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard. (Reference: 10 USC Section 101[4])

Attachment to the Workforce: See Section 5.5.2 for local definition.

Barriers to Employment: As defined in the WIOA Section 3(24), the term "individual with a barrier to employment" means a member of one or more of the following populations:

- Displaced Homemakers
- Low-income individuals
- Indians, Alaska Natives, and Native Hawaiians (WIOA Section 166)
- Individuals with disabilities, including youth who are individuals with disabilities (WIOA Section 3(25)
- Older individuals (WIOA Section 3[39])
- Offender/Ex-offenders
- Homeless Individuals
- Youth who are in or have aged out of the foster care system
- Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers (WIOA Sections 3[21] and 203[7])
- Eligible migrant and seasonal farmworkers (WIOA Section 167[i])
- Individuals within 2 years of exhausting lifetime eligibility under part A of Title IV of the Social Security Act (42 USC Section 601 et seq.)
- Single parents (including single pregnant women)
- Long-term unemployed individuals (TEGL 19-16)
- Such other groups as the Governor involved determine to have barriers to employment. As of January 1, 2018, California includes:
    - **Transgender and gender non-confirming individuals (**Senate Bill 396**) (**WSIN17-22)

Basic Skills Deficient: The following definition applies with respect to an applicant:

- A youth who has English, reading, writing, or computing skills at or below the 8th grade level of a generally accepted standardized test. In assessing basic skills, local programs must use assessment instruments that are valid and appropriate for the target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. (Reference: Title 20 CFR Section 681.290)
- A youth or adult who is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job in the individual's family or in society. (Reference: WIOA Section 3[5])

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CalJOBS℠: CalJOBS℠ is California's online resource to help job seekers and employers navigate the state's workforce services and serves California's WIOA Titles I and III federally recognized "system of record" for the participant tracking and reporting for the WIOA and the W-P.

Covered Person: Related to the application of priority of service, a covered person is a veteran or eligible spouse.

Deficient in Basic Literacy Skills: See Section 5.6.5 for local definition.

Dependent Children: Children who can be claimed as a dependent on their parent's income tax. To meet the Internal Revenue Service qualifications a child must meet relationship, age, residency, support, and joint return criteria.

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

- Meets either of the following conditions:
  - Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce); or
  - Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability, **AND**
- Is unemployed or underemployed and having trouble obtaining or upgrading employment.

Eligible Spouse: The spouse (including the same-sex spouse) of any of the following:

- Any veteran who died of a service-connected disability.
- Any member of the Armed Forces serving on active duty who, at the time of application for priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - Missing in action.
  - Captured in the line of duty by a hostile force.
  - Forcibly detained or interned in the line of duty by a foreign power.
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the VA.
- Any veteran who died while a disability was in existence.

(Reference: Title 38 USC Section 4215[a]).

Emancipated Minor: Any person under the age of 18 who meets the following criteria:

- Has entered into a valid marriage, whether or not such marriage was terminated by dissolution.
- Is on active duty with any of the armed forces of the United States of America.
- Has received a declaration of emancipation pursuant to California Family Code 7122.

(Reference: The California Family Code, Section 7002)

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Employed: An individual is considered employed at the date of participation if they meet any of the following criteria:

- Employed
  - Did any work at all as a paid, unsubsidized employee on the date participation occurs.
  - Worked 15 hours or more in an unpaid job on a farm or business operated by a family

  member. (Reference: TEGL 10-16, Change 3, Attachment 1)
- Employed, but received notice of termination or military separation
  - Has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close.
  - Is a transitioning service member.

(Reference: TEGL 10-16, Change 3, Attachment 1)

Equal Opportunity (EO) Data: Data on race and ethnicity, age, sex, and disability required by 29 CFR Part 38 governing nondiscrimination. Although staff must ask, participants are not required to provide information.

Family: Two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A married couple and dependent children.
- A parent or guardian and dependent children.
- A married couple.

(References: Title 20 CFR Section 675.300; TEGL 21-16 and TEGL 26-13)

Foster Child: A youth participant who is currently in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under the John H. Chafee Foster Care Independence Program, or in an out-of-home placement.

(References: Title 20 CFR Sections 681.210 and 681.220; TEGL 21-16)

Furlough: The placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons [Title 5 USC Section 7511(a)(5)]. As such, it is a temporary termination of employment or layoff.

General Announcement: See Section 5.5.2 for local definition.

General Economic Conditions: See Section 5.5.2 for local definition.

Homeless: The term homeless, homeless individual, or homeless person includes the following:

- An individual who lacks a fixed, regular, and adequate night-time residence.
- An individual with a primary nighttime residence that is a public or private place not

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designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.

- An individual living in a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including hotels and motels paid for by federal, state, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing).
- An individual who resided in a shelter or place not meant for human habitation and who is exiting an institution where he or she temporarily resided.
- An individual who meets the following criteria:
  - Will imminently lose their housing, including housing they own, rent, or live in without paying rent, are sharing with others, and rooms in hotels or motels not paid for by

    Federal, State, or local government programs for low-income individuals or by charitable organizations, as evidenced by any of the following:
    - A court order resulting from an eviction action that notifies the individual or family that they must leave within 14 days.
    - The individual or family having a primary night-time residence, which is a room in a hotel or motel and where they lack the resources necessary to reside there for more than 14 days.
    - Credible evidence indicates that the owner or renter of the housing will not allow the individual or family to stay for more than 14 days, and any oral statement from an individual or family seeking homeless assistance that is found to be credible shall be considered credible evidence for purposes of this clause.
  - Has no subsequent residence identified.
  - Lacks the resources or support networks needed to obtain other permanent housing.
- Unaccompanied youth and homeless families with children and youth defined as homeless under other federal statutes who meet the following criteria:
  - Have experienced a long-term period without living independently in permanent housing.
  - Have experienced persistent instability as measured by frequent moves over such a period.
  - Can be expected to continue in such status for an extended period of time because of chronic disabilities, chronic physical health or mental health conditions, substance addiction, histories of domestic violence or childhood abuse, the presence of a child or youth with a disability, or multiple barriers to employment.

Individual Employment Plan: An individualized career service, which is developed jointly by the participant and career planner when determined appropriate by the one-stop center or one-stop partner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.

Individual with a Disability: The term disability means, with respect to an applicant, one of the following:

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- A physical or mental impairment that substantially limits one or more of the major life activities:
  - Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
  - Major life activities also include the operations of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- A record of such an impairment; or
- Being regarded as having such impairment.
  - The applicant establishes that they have been subjected to an action prohibited under the Americans with Disabilities Act (ADA) because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.
  - "Being regarded as having such an impairment" shall not apply to impairments that are transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

    (Reference: Title 42 USC Section 12102)

Layoff: The permanent or temporary termination of employment of an employee due to a position being abolished, insufficient funds, lack of work, or any other reason not reflecting discredit on the employee (e.g., dismissal for inadequate performance, violation of workplace rules, cause, etc.).

Lockout: Any refusal by an employer to permit any group of five or more employees to work as a result of a dispute with such employees affecting wages, hours or other terms or conditions of employment of such employees (California Labor Code Section 1132.8). A lockout does not terminate the employer-employee relationship, so locked out employees are not eligible dislocated workers since they have not been terminated or laid off, are not eligible for unemployment compensation, and are likely to return to the same industry or occupation once the dispute is resolved. The same guidance applies to employees that are on strike. There may be locked out employees who for financial reasons seek other employment. These applicants may be served as adults.

Low-Income Individual: An individual who meets any of the following criteria:

- Receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received any of the following:
  - Supplemental nutrition assistance program (SNAP).
  - Temporary assistance for needy families (TANF).
  - Supplemental security income (SSI).
  - Local income-based public assistance.
- Is in a family with a total family income that does not exceed the higher of the following:
  - The poverty line.
  - Seventy percent of the LLSIL.

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- Qualifies as a homeless individual.
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act.
- Is a foster child on behalf of whom state or local government payments are made.
- Is an individual with a disability whose own income meets the requirements of a program described in (2), but who is a member of a family whose income does not meet such requirements.

(Reference: WIOA Section 3[36])

WIOA Section 129(a)(2) states that low-income additionally includes youth living in a census track that has a poverty rate of at least 25 percent as set every five years using the American Community Survey 5-year data.

LLSIL: The income level (adjusted for regional, metropolitan, urban, and rural differences and family size), determined annually by the DOL based upon the most recent lower living family budget. The LLSIL is published annually in the Federal Register.

Military Spouse: An individual who is married to an active-duty service member, including National Guard or Reserve personnel on active duty. The surviving spouse of an active-duty service member who lost his/her life while on active-duty service in Afghanistan, Iraq, or other combat-related areas is considered to be a military spouse. Consistent with TEGL 26-13, the definition of “military spouse” includes same-sex spouses.

Non-Covered Person: Persons who is not a veteran or spouse as relating to priority of service application.

Not Employed: An individual is considered not employed at the date of participation when he/she meets any of the following criteria:

- Is not a paid employee in an unsubsidized job.
- Did not work more than 15 hours in an unpaid job on a farm or business operated by a family member. (Reference: TEGL 10-16, Change 3, Attachment 1)
- Has received a notice of termination of employment or the employer has issued a WARN or other notice that the facility or enterprise will close.
- Is a transitioning service member.

Offender: The term offender means any adult or juvenile who meets any of the following criteria:

- Is, or has, been subject to any stage of the criminal justice process, for whom services under this act may be beneficial.
- Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

Out-of-Family Youth: Court adjudicated youth separated from the family (including incarcerated youth), homeless, runaways, and emancipated youth. For purposes of determining income eligibility, out-of-family youth are considered a “family of one.”

Poverty Line: The income level at which families are considered to live in poverty, as

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annually determined by the US Department of Health and Human Services. The poverty level is published annually in the Federal Register.

Pregnant or Parenting Youth: An individual who is pregnant or a custodial or non-custodial parent.

Priority of Service: "Priority of service" means the right to take precedence over a person with a lower priority in obtaining employment and training services. Veterans and eligible spouses are entitled to receive precedence over non-covered persons for employment, training, and placement services. Specifically, a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

Program Year: Often abbreviated as PY, a WIOA program year begins on July 1 and ends on June 30.

Public Assistance: Federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

Runaway Youth: A person under 18 years of age who absents himself or herself from home or place of legal residence without the permission of his or her family.

Applicant Statement: Applicant Statement occurs when an applicant declares their status for eligibility in writing or via an electronic/digital method. The key elements for the applicant statement are as follows:

- The applicant identifying their status for permitted elements/eligibility criteria, and
- Signing and dating a form attesting to this self-identification (e.g., a WIOA Program Application).

Electronic/digital signatures or a submission from the applicant such as an email, text, or unique online survey response is considered an electronic signature or verification; it must be applicant-generated and traceable to the applicant. Grantees must retain documentation of the ap, such as hard copies or in CalJOBS℠ with a remote signature.

School Dropout: An individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent (WIOA Section 3[54]). Per TEGL 8-15, this term does not include individual s who dropped out of postsecondary school.

Self-Service or Informational Activities: Services an individual can access in an AJCC with minimal or no staff assistance (e.g., self-service labor market research, resume preparation, job search, etc.). These services are general in nature and not customized to an applicant's needs.

Self-Sufficiency: See Section 5.4.3 for local definition.

Substantial Layoff: See Section 5.5.2 for local definition.

Transitioning Service Member: A service member in active-duty status (including separation leave) who participates in employment services and is within 24 months of

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retirement or 12 months of separation.

Truancy: A truant is in violation of California's compulsory school attendance laws, and a school district is not permitted to sanction violation of those laws by issuing a permit to work. A truant/dropout is subject to arrest, and the parents are subject to infraction fines if the minor is found working without a work permit.

Underemployed: An individual who is working part-time but desires full-time employment, or who is working in employment not commensurate with the individual's demonstrated level of educational attainment.

Unlikely to Return: See Section 5.5.2 for local definition.

Veteran: A person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 USC

Section 101(2). A recently separated veteran means any veteran who applies for participation under the WIOA within 48 months after the discharge or release from active military, naval, or air service.

Work First: Work first programs share the philosophy that any job is a good job and that the best way to succeed in the labor market is to join it, developing work habits and skills on the job rather than in a classroom.

5.9 Acceptable Documentation

Providers must verify or confirm an applicant's eligibility for the Adult, Dislocated Worker, or Youth programs through an examination of documents. The following tables are an accompaniment to the *Workforce Innovation and Opportunity Act* (WIOA) *Title I Technical Assistance Guide* (TAG) and are designed to assist Local Areas in documenting applicant eligibility. Only the documentation sources included in these tables are acceptable for establishing WIOA Title I eligibility. Information must be collected from the applicant to support a determination of eligibility. This information is collected through the applicant's WIOA Program Application, which may be a paper application that is physically signed or an electronic application that is electronically signed.

Eligibility verification is not the same as Data Element Validation (DEV). While DEV may verify the existence of acceptable documentation for certain eligibility criteria, DEV does not verify the applicant's eligibility. For more information on DEV, refer to Workforce Services Directive, *WIOA Data Validation Source Documentation* (WSD22-15).

Personally Identifiable Information (PII) must be collected, used, and maintained properly. Medical or disability information must be collected and stored separately in accordance with Title 29 *Code of Federal Regulations* (CFR) Section 38.41(b)(3).

Definitions: The following definitions apply for types of acceptable documentation

Case Note: Case notes are paper or electronic statements by the case manager that identify, at a minimum, (1) an applicant 's status for a specific data element, (2) the date on which the information was obtained, and (3) the case manager who obtained the information. If case notes are used as a documentation source, the case notes must

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provide a documented trail back to the source of information verified.

Self-Attestation: Self-attestation occurs when an applicant declares their status for eligibility in writing or via an electronic/digital method. The key elements for self-attestation are:

- The applicant identifying their status for permitted elements/eligibility criteria, and
- Signing and dating an Applicant Statement to this self-identification (e.g., a signed WIOA Program Application).

Electronic/digital signatures or a submission from the applicant such as an email, text, or unique online survey response is considered an electronic signature or verification; it must be applicant generated and traceable to the applicant. Providers must retain a copy of the Applicant Statement as documentation of the self-attestation, such as hard copies or in CalJOBS℠ with a remote signature.

References: Title 20 CFR Section 675.300, Training and Employment Guidance Letter (TEGL) 09-22, *Workforce Innovation and Opportunity Act Title I Youth Formula Program Guidance,* TEGL 23-19, Change 2, *Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs*, Revised Attachment II, *Source Documentation for WIOA Core/Non-Core Programs,* Workforce Services Directive, WSD24-06, *Adult Program Priority of Service*

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Table 1: General Eligibility The General Eligibility criteria apply to all WIOA Title I Adult, Dislocated Worker, and Youth programs. **Applicants must meet all applicable general eligibility criteria** to be eligible for WIOA-funded services.	
Eligibility Criteria	**Acceptable Documentation**
1. Birth date/age *References: WIOA Sections 3(2), 129(a)(1)(B)(ii), and 129(a)(1)(C)(ii); 20 CFR Section 680.120*	The document must display the applicant's name and date of birth. The following documentation may be used to satisfy this criterion (only **one** is required): • Birth Certificate (United States [US] or non-US issued) • Federal, state, or local Identification Card (including Tribal Records) • Driver's License • Passport (US or non-US issued) • Mexico Consular Identificación Card (Matricula Consular) • Baptismal Record • DD-214 • Report of Transfer or Discharge Paper • Selective Service Registration • Hospital Record of Birth (US or non-US issued) • Public Assistance/Social Services/Justice System Record • School Record or Identification (ID) Card (US or non-US issued) • Work Permit
2. Authorization to Work in the US *References: WIOA Section 188[a][5]; TEGL 10-23*	The following documentation may be used to satisfy this criterion: • One verification document from List A of the I-9 Form, or • One verification document from List B and one verification document from List C of the I-9 Form • USCIS Systematic Alien Verification for Entitlements (SAVE) verification • Employment Authorization Documents (EAD)

3. Selective Service System Registration
Applicable for individuals born male on or after January 1, 1960
	• For applicants who registered with the Selective Service System as required between the ages of 18 and 25:
	  ○ DD Form 214 (DD-214)
	  ○ Selective Service Acknowledgement Letter
	  ○ Selective Service Registration Card
	  ○ Selective Service System Telephone Verification (1-847-688-6888)
	  ○ Screen printout from Selective Service verification website
	  ○ Selective Service Registration Record (Form 3A)
	  ○ Stamped Post Office receipt of Registration
	• For applicants who did not register with the Selective Service System by their 26th birthday

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Table 1: General Eligibility The General Eligibility criteria apply to all WIOA Title I Adult, Dislocated Worker, and Youth programs. **Applicants must meet all applicable general eligibility criteria** to be eligible for WIOA-funded services.	
Eligibility Criteria	**Acceptable Documentation**
3. Selective Service System Registration - cont. Applicable for individuals born male on or after January 1, 1960 *References: WIOA Section 189[h]; TEGL 11-11, Change 2, Selective Service Registration Requirements for Employment and Training*	or who believe they were exempt from registering: ○ Selective Service System Status Information Letter (SIL) (Available on the Selective Service System website along with a list of acceptable documentation) ○ Selective Services Applicant Statement – Signed statement that explains why the applicant's failure to register was not knowing and willful. And case note. • For non-US citizens born male who entered the country for the first time after their 26th birthday: ○ Date of entry stamp in passport (non-citizens) ○ Department of Homeland Security Form I-94, Arrival-Departure Record with date of entry stamp (non-citizens) ○ Letter from US Citizenship and Immigration Services showing date of entry **and** documentation to confirm age (non-citizens) Note – Refer to *Section 5.2, Selective Service System Registration*, of the WIOA TAG for local policy and procedures determining if an applicant knowingly and willfully failed to register.
4. Fresno County Resident (PB 01-03) Note – Applicants must be residents of Fresno County or have been displaced/dislocated from employment by an employer whose place of business is/was within Fresno County	• Phone/Utility bill must be dated within the last 30 days from the application date. • Current Public Assistance records showing address, dated with the last 30 days from the application date. • School records with home address (current school year). • Documentation that the applicant is currently employed by an employer located in Fresno County e.g., copy of paycheck stub within the last 30 days from the application date. • Proof of dislocation from an employer located in Fresno County i.e., layoff notice, termination notice.

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**
1. General Dislocation An applicant looking to satisfy this criterion must meet **all** of the following: 1a, 1b, and 1c. Note – There are two options for meeting 1b. *References: WIOA Section* 3[15][A]; *TEGL* 19-16 and Attachment III; *20 CFR Section* 680.660	
1a:An individual who was terminated or laid off, or who received a notice of termination or layoff, from employment. This includes a separation notice, under other than dishonorable conditions, from active military service.	The following documentation may be used to satisfy this criterion (only **one** is required): • Notice of layoff or termination, including a Worker Adjustment and Retraining Notification (WARN notice) • DD-214 or other documentation issued by the Department of Defense, showing separation or imminent separation from the Armed Forces with a discharge that is anything other than dishonorable Screen print or photocopy of a media article describing the layoff. The printout **must** include the name of the publication and date of the article • Verbal or written verification from employer documented in case notes that include employer name, title, phone number, and date of dislocation • Rapid Response List/Sign-In Sheet • WIOA UI – Data Consent Authorization Form • Copy of DE 1101CLMT Notice of Unemployment Insurance Claim Filed • Copy of DE 8406 Personalized Job Search Assistance (PJSA) Appointment Notice • Copy of DE 8530 Reemployment Services and Eligibility Assessment (RESEA) Appointment Notice • Case notes verifying attendance of RESEA or PJSA • PJSA and RESEA CalJOBS℠ Activities entered by EDD Staff • Applicant Statement and case note

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**

1b(1):Is eligible for or has exhausted entitlement to unemployment compensation; or	The following documentation may be used to satisfy this criterion (only **one** is required):
	• UI records, including:
	  ○ DE 1180PH Claim Status and Payment History
	  ○ DE 4581 Continued Claim Form
	  ○ Copy of UI Online Payment Information
	  ○ Telephone Verification through EDD Tele-Cert℠
	• Copy of DE 429Z Notice of UI Award
	• Copy of DE 8406 PJSA Appointment Notice
	• Copy of DE 8530 RESEA Appointment Notice or referral to RESEA

1b(2):Has been employed for a duration sufficient to demonstrate attachment to the workforce but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state unemployment compensation law.	The following documentation may be used to satisfy this criterion (only **one** is required):
	• Paycheck stubs
	• W-2 and/or tax returns
	• UI records, including any of the following:
	  ○ DE 429Z Notice of UI Award
	  ○ DE 4581 Continued Claim Form
	• Written statement by the employer or union representative
	• Applicant Statement and case note
	
	Refer to *Section 5.5.2, Definitions and Standards for Eligibility* in the WIOA TAG for the local definition of attachment to the workforce and a list of acceptable documentation.

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**
1c:Is unlikely to return to a previous industry or occupation.	The following documentation may be used to satisfy this criterion (only **one** is required): • DD-214 or other documentation with a discharge status that is anything other than dishonorable, showing separation or imminent separation from the Armed Forces. • Copy of DE 8530 RESEA Appointment Notice or referral to RESEA • Case Notes verifying attendance of RESEA • Screen print from internet site such as CalJOBS℠ or the Labor Market Information Division that indicates lack of industry/occupation availability • Doctor statement indicating applicant's inability to return to previous industry/occupation due to physical limitations (staff attestation that staff verified doctor's statement) • Vocational rehabilitation counselor's statement indicating applicant's inability to return to previous industry/occupation due to physical limitations (staff attestation that staff verified doctor's statement) • Copy of Supplemental Job Displacement Benefit (SJDB) voucher issued by the Division of Worker's Compensation for state-approved educational retraining or skills enhancement • Applicant Statement and case note
2. Dislocation from Plant Closure/Substantial Layoff An applicant looking to satisfy this criterion must meet any of the following: 2a or 2b or 2c. *References: WIOA Section 3[15][B]; TEGL 19-16, Attachment III*	
2a:An individual who was terminated or laid off, or who 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.	
2b:An individual employed at a facility at which the employer made a general announcement that such facility will close within 180 days.	The following documentation may be used to satisfy this criterion (only **one** is required): • WARN notice • UI records, including the following:

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**
2c:For purposes of eligibility for services other than training services included in WIOA Section 134(c)(3), career services included in WIOA Section 134(c)(2)(A)(xii), or supportive services, an individual must be employed at a facility or military installation at which the employer made a general announcement that such facility will close.	○ DE 429Z Notice of UI Award ○ DE 4581 Continued Claim Form • Copy of other specific notice to employee of intent to layoff • UI Form 501 (Separation Statement), when completed on both sides and signed by an employer representative • Employer or union representative letter or statement • Written statement from the employer's bank official, attorney, supplier, accountant, or another knowledgeable professional • Telephone verification with employer and staff attestation • Applicant Statement and case note
3. Self-Employed Dislocation An individual looking to satisfy this criterion must meet the following: *References: WIOA Section 3[15][C]; TEGL 19-16, Attachment III*	
An individual who was self-employed (including farmers, ranchers, fishermen, independent contractors, and consultants) but is unemployed as a result of general economic conditions in the community in which the applicant resides or because of a natural disaster.	The following documentation may be used to satisfy this criterion (only **one** is required): • Bankruptcy documents listing both the name of the business and the applicant 's name • Business license • Copy of a completed federal income tax return (Schedule SE) for the most recent tax year • Copy of media article/announcement describing the closure or mass layoff; the copy must include the name of the medium in which it is published and the date of publication • Copy of articles of incorporation for the business listing the applicant as a principal • Applicant Statement that the applicant was self-employed and is now unemployed as the result of general economic conditions or natural disaster and case note
4. Displaced Homemaker To be eligible under this criterion, the applicant must provide proof of 4a **and** 4b: Note – There are two options for meeting 4a. *References: WIOA Section 3[15][D] and 3[16][A][i] and [B]; TEGL 19-16, Attachment III*	

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**
4a(1):Has been dependent on the income of another family member, but is no longer supported by that income (e.g., because the other family member was laid off, or because of death or divorce), or	The following documentation may be used to satisfy this criterion (only **one** is required): • Cross match with public assistance records • Copy of applicable Court records • Copy of Divorce papers or Legal Separation • Copy of Bank records showing financial dependence on spouse, no separate applicant income support, or no employment income earned • Notarized Statement from family member of ex-spouse of non-support • Spouse's layoff notice • Spouse's death record • Applicant Statement and case note
4a(2):Is the dependent spouse of a member of the US Armed Forces on active duty and whose family income has been significantly reduced because of the service member's deployment, call or order to active duty, permanent change of station, or service-connected death or disability.	The following documentation may be used to satisfy this criterion (only **one** is required): • Spouse's Permanent Change of Station Orders for a military move or assignment • Documentation certifying a service-connected death or disability • Applicant Statement that the applicant is the spouse of an active member of the US Armed Forces and has experienced the loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station and case note
4b:Is unemployed or underemployed and having trouble obtaining or upgrading employment.	The following documentation may be used to satisfy this criterion (only **one** is required): • Wage Record or Employer Statement • Applicant Statement (This could include statement of continuous effort to seek employment that meets the local definition for difficulty in obtaining or upgrading employment. Refer to *Section 5.5.2, Definitions and Standards for Eligibility Criteria* for more detailed information.) Note – Refer to *Section 5.5.5, Related Definitions* in the WIOA TAG for detailed information on employment status (i.e., employed, underemployed, not employed).

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Table 2: Dislocated Worker Eligibility To be eligible as a Dislocated Worker, an applicant must meet the WIOA General Eligibility criteria (Table 1) **and** one of the eligibility criteria below.	
Eligibility Criteria	**Acceptable Documentation**
5. Spouse of an Active-Duty Military Service Member To be eligible under this criterion, the applicant must provide proof of either of the following: 5a or 5b: *References: WIOA Sections 3[15][D] and 3[16][A][ii] and [B]; TEGL 19-16, Attachment III*	
5a:Has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station; **or**	The following documentation may be used to satisfy this criterion (only **one** is required): • Spouse's Permanent Change of Station Orders for a military move or assignment • Applicant Statement that the applicant is the spouse of an active member of the US Armed Forces and has experienced the loss of employment as a direct result of relocation to accommodate a permanent change in the service member's duty station
5b:Is unemployed or underemployed and having trouble obtaining or upgrading employment.	The following documentation may be used to satisfy this criterion (only **one** is required): • Wage Record or Employer Statement • Needs Assessment (OA) • SRT Case Noted Verification of Employment History as Documented in Job Track Application • Applicant Statement that the applicant has made continuous effort to seek employment that meets the local definition for difficulty in obtaining or upgrading employment. Refer to *Section 5.2, Definitions and Standards for Eligibility Criteria* for more detailed information. And case note. Note – Refer to *Section 5.8, Related Definitions* in the WIOA TAG for detailed information on employment status (i.e., employed, underemployed, not employed).

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Table 3: Youth Eligibility A youth applicant must meet the WIOA General Eligibility criteria (*Table 1*) **and** eligibility criteria for either Out-of-School (OS) Youth or In-School (IS) Youth.	
Eligibility Criteria	**Acceptable Documentation**
OS Youth To be determined eligible as an OS youth, an applicant must provide proof that they meet **all** of the following: *References: 20 CFR Section 681.210; TEGL 09-22 and TEGL 21-16*	
Are not less than 16 years of age and not more than 24 years of age**.**	See "Age/Date of Birth" criteria in *Table I – General Eligibility* for the list of acceptable documentation.
Are not attending any secondary or postsecondary school**.**	The following documentation may be used to determine school status (only **one** is required): • Copy of educational institution enrollment record • Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation) • Signed WIOA Program Application or registration form • Electronic records • File documentation with notes from program staff • Applicant Statement and case note
Have **one** or more of the following barriers: • A school dropout • A youth who is within the age of compulsory school attendance but has not attended school for at least the most recent complete school year quarter. • A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is either basic skills deficient or an English language learner. • An offender. • A homeless individual or a runaway. • An individual in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under Section 477 of the *Social Security Act*, or in an out-of-home placement. • An individual who is pregnant or parenting (custodial and non-custodial parent including non-custodial fathers). • An individual with a disability.	• See *Table 4 – Barriers to Education and Employment* for the list of acceptable documentation. • *See Table 6 – Low Income Eligibility* for the list of acceptable documentation.

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Table 3: Youth Eligibility A youth applicant must meet the WIOA General Eligibility criteria (*Table 1*) **and** eligibility criteria for either Out-of-School (OS) Youth or In-School (IS) Youth.	
Eligibility Criteria	**Acceptable Documentation**
• A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.	
IS Youth To be determined eligible as an IS youth, an applicant must provide proof that they meet **all** of the following: *References: 20 CFR Section 681.210; TEGL 09-22 and TEGL 21-16*	
Are not less than 14 years of age and not more than 21 years of age**.** *Note – Youth with disabilities who are in an individualized Education program at the age of 22 may be in enrolled as an IS youth (TEGL 21-16).*	See Age/Date of Birth criteria in *Table I – General Eligibility* for the list of acceptable documentation.
Are attending school, including secondary and postsecondary school.	The following documentation may be used to determine school status (only **one** is required): • Copy of educational institution enrollment record • Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation) • Current financial award disbursement letter/record • Signed WIOA Program Application or registration form • Electronic records • Verbal Verification • Applicant Statement and case note
Are a low-income individual.	*See Table 6 – Low Income Eligibility* for the list of acceptable documentation. All IS youth must be low-income to meet the IS youth eligibility criteria, except those who fall under the low-income exception (20 CFR Section 281.250[b]). Refer to Section 5.6.3, Five Percent Eligibility of the WIOA TAG for more detailed information. Note - Only OS youth with certain barriers are required to be low-income (20 CFR Section 681.250[a]).

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Have **one** or more of the following barriers. • Basic skills deficient • An English language learner • An offender • A homeless applicant or runaway • An applicant in foster care or who has aged out of the foster care system or who has attained 16 years of age and left foster care for kinship guardianship or adoption, a child eligible for assistance under Section 477 of the *Social Security Act*, or in an out-of-home placement • Pregnant or parenting (custodial and non-custodial parent including noncustodial parents) • An applicant with a disability • An applicant who requires additional assistance to complete an educational program or secure and hold employment.	See *Table 4 – Barriers to Education and Employment* for the list of acceptable documentation.

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Table 4: Barriers to Education and Employment – Youth and Adult Programs Each criterion below indicates which program(s) it is applicable for – OS Youth, IS Youth, and Adults.	
Eligibility Criteria	**Acceptable Documentation**
Basic Skills Deficient - *Applicable for IS Youth and Adults* *References: 20 CFR Sections 664.205 and 681.290; WSD24-06*	
To meet this criterion an applicant must meet one of the following: Have English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test**.** Be unable to compute and solve problems, or read, write, or speak English at a level necessary to function on the job, in the participant's family, or in society.	The following documentation may be used to satisfy this criterion (only **one** is required): • Applicable Records from Education Institution (transcripts or other school documentation, including a referral or records from a Title II Basic Adult Education program or English Language Learner program • Assessment Test Results
English Language Learner-*Applicable for IS Youth and Adults* *References: WIOA Section 203[7]; 20 CFR Section 688.120*	
Determine if the participant, at program entry, is a person who has limited ability in speaking, reading, writing, or understanding the English language **and** also meets at least one of the following two conditions: Their native language is a language other than English. They live in a family or community environment where a language other than English is the dominant language.	The following documentation may be used to satisfy this criterion (only **one** is required): • Assessment Test Results • Applicable Records from Education Institution (transcripts, or other school documentation) • Applicant Statement and case note • Signed WIOA Program Application or Enrollment Form
An Offender-*Applicable for OS Youth, IS Youth, and Adults* *References: WIOA Section 3[38]; 20 CFR Section 688.120; TEGL 21-16*	
Determine if the participant, at program entry, is a person who meets either of the following conditions: Has been subject to any stage of the criminal justice process for committing a status offense or delinquent act.	The following documentation may be used to satisfy this criterion (only **one** is required): • Documentation from the Juvenile or Adult Criminal Justice System (includes Education Partner within the Juvenile or Adult Criminal Justice System) • Written Statement, Referral Document, or Documented phone call from a Court or Probation Officer • Referral Transmittal from a Reintegration Agency • Signed WIOA Program Application or Enrollment Form • Federal Bonding Program Application • Applicant Statement and case note
Requires assistance in overcoming barriers to employment resulting from a record of arrest or conviction.	

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Table 4: Barriers to Education and Employment – Youth and Adult Programs Each criterion below indicates which program(s) it is applicable for – OS Youth, IS Youth, and Adults.	
Eligibility Criteria	**Acceptable Documentation**
Homeless or Runaway *Applicable for OS Youth and IS Youth* *Reference: TEGL 19-16, Attachment III*	The following documentation may be used to satisfy this criterion (only **one** is required): • Signed WIOA Program Application or Enrollment Form • Written Statement or Referral Transmittal from a Shelter or Social Service Agency • A letter from a case worker or support provider • Applicant Statement and case note
Foster Care *Applicable for OS Youth and IS Youth* *References: 20 CFR Sections 681.210 and 681.220; TEGL 21-16*	The following documentation may be used to satisfy this criterion (only **one** is required): • Written Confirmation from Social Services Agency • Foster Care Agency Referral Transmittal • Signed WIOA Program Application or Enrollment Form • Applicant Statement and case note
Pregnant or Parenting (Includes custodial and non-custodial parents) whose dependent(s) are under 18 years of age *Applicable for OS Youth and IS Youth* *References: 20 CFR Sections 681.210 and 681.220; TEGL 21-16*	The following documentation may be used to satisfy this criterion (only **one** is required): • Copy of Birth Certificate • Baptismal Record • Medical Records confirming pregnancy (staff attestation confirming) • Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Eligibility Verification • Temporary Assistance for Needy Families (TANF)/W-2 Single Parent Eligibility Verification • Signed WIOA Program Application or Enrollment Form • Applicant Statement and case note
A Youth with a disability (Includes Learning Disabilities) *Applicable for OS Youth, IS Youth, and Adult* *References: 20 CFR Section 681.280; TEGL 21-16*	The following documentation may be used to satisfy this criterion (only **one** is required): • Medical Records or Physician's Note (staff attestation confirming) • Individualized Education Plan (IEP), School 504 Records, other School Records, or Letter from School • Social Security Disability Records (staff attestation confirming) • Veteran's Administration Records (staff attestation confirming) • Verification from Social Services Agency • Applicant Statement and case note

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Table 4: Barriers to Education and Employment – Youth and Adult Programs Each criterion below indicates which program(s) it is applicable for – OS Youth, IS Youth, and Adults.	
Eligibility Criteria	**Acceptable Documentation**
An applicant who requires additional assistance to complete an education program or to secure or hold employment. *Applicable for OS Youth and IS Youth* *References: 20 CFR 681.210 and 681.220; TEGL 21-16*	Local Boards are responsible for establishing local definitions and eligibility documentation requirements for "requires additional assistance" as it relates to both OS and IS youth. Refer to WIOA Youth Program Requirements (WSD17-07) for more detailed information. *Refer to Section 5.6.1, Local Definitions and Eligibility Criteria, for the local definition of "an applicant who requires additional assistance" and the list of acceptable documentation.*
A School Dropout *Applicable for OS Youth* *References: WIOA Section 3(54); TEGL 21-16*	The following documentation may be used to satisfy this criterion (only **one** is required): • Copy of Educational Institution Enrollment Record • Applicable Records from Education Institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation) • Signed WIOA Program Application or Enrollment Form • Electronic Records • Applicant Statement and case note
Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year quarter *Applicable for OS Youth* *References: 20 CFR Section 681.210; TEGL 21-16*	• Copy of Educational Institution Enrollment Record • Applicable Records from Education Institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation) • Signed WIOA Program Application or Enrollment Form • Electronic Records • Applicant Statement and case note Note – In cases where schools do not use quarters, providers must use calendar year quarters.
A recipient of a secondary school diploma or its recognized equivalent who is a low-income applicant *and* is either basic skills deficient or an English language learner. *Applicable for OS Youth* *Reference: 20 CFR Section 681.210*	

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Table 4: Barriers to Education and Employment – Youth and Adult Programs Each criterion below indicates which program(s) it is applicable for – OS Youth, IS Youth, and Adults.	
Eligibility Criteria	**Acceptable Documentation**
An applicant meets this criterion if the applicant is: A recipient of a secondary school diploma or its recognized equivalent **and**	The following documentation may be used to satisfy this criterion (only **one** is required): • Applicable records from school or educational institution (GED certificate, diploma, attendance record, transcripts, report card, or school documentation) • Signed WIOA Program Application or Enrollment Form • Electronic Records • Applicant Statement and case note
A low-income applicant **and is either**	See *Table 6 – Low-Income Eligibility* for the list of acceptable documentation.
Basic skills deficient **or** An English language learner	See the "Basic Skills Deficient" criterion detailed within this table for the list of acceptable documentation. See the "English Language Learner" criterion detailed within this table for the list of acceptable documentation.

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Table 5: Family Size An applicant's family size must be determined before making a low-income determination. Note: Documentation should be provided for all income sources for each family member for the six-month income period immediately preceding the determination date.	
Eligibility Criteria	**Acceptable Documentation**
Applicant Status/Family Size Family means two or more persons related by blood, marriage (including same-sex marriages), or decree of court, who are living in a single residence, and are included in one or more of the following categories: (1) A married couple and dependent children (2) A parent or guardian and dependent children (3) A married couple *References: 20 CFR Section 675.300; TEGL 23-16 and TEGL 19-16, Attachment III*	The following documentation may be used to satisfy this criterion (only **one** is required but enough information must be provided to accurately determine family size): • Birth Certificate for every family member • Social Security Card for every family member • Decree of Court • Divorce Decree • Applicant with a disability (See *Table 6 – Low Income Eligibility* regarding family size and income requirements for applicants with disabilities) • Landlord Statement/Lease (with family members listed) • Marriage Certificate • Most Recent Tax Return (if current) • Public Assistance Records • Social Service Agency Records • Public Housing Authority (if Resident of or on Waiting List) • Written Statement from a Publicly supported 24-hour Care Facility or Institution (e.g., Mental, Prison) • Applicant Statement and case note Refer to *Section 5.7, Low-Income Related Definitions*, of the WIOA TAG for definitions related to family size.

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Table 6: Low-Income Eligibility Criteria

To be eligible as low-income, an applicant must meet **one** of the criteria below. An applicant's family size must be determined before making a low-income determination. (See *Table 5 – Family Size*). Refer to *Section ~~8.4~~ 5.6, Determining Low-Income Status* in the WIOA TAG for more information and for the list of acceptable (and excludable) documentation for calculating an applicant's income.

Eligibility Criteria	Acceptable Documentation
The applicant receives (or in the past six months has received), or is a member of a family that receives (or in the past 6 months has received) *one* of the following: *Applicable for OS Youth, IS Youth, and Adults. References: WIOA Section 3[36]; TEGL 21-16*	
Assistance through the Supplemental Nutrition Assistance Program (SNAP)/CalFresh	The following documentation may be used to satisfy this criterion: • County of Fresno Verification of Benefits Letter
Temporary Assistance for Needy Families (TANF)	The following documentation may be used to satisfy this criterion: • County of Fresno Verification of Benefits Letter
Supplemental Security Income (SSI)	The following documentation may be used to satisfy this criterion: (Only **one** document is required) • SSI Receipt of Benefits Verification • Referral Transmittal from SSA • SSI Eligibility Verification
Other State or Local income-based public assistance	The following documentation may be used to satisfy this criterion: (Only **one** document is required) • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Medical Card Showing Cash Grant Status • Public Assistance Eligibility Verification
Is in a family with a total family income that does not exceed the higher of the following: a. The federal poverty line b. Seventy percent of the Lower Living Standard Income Level (LLSIL) *Applicable for OS Youth, IS Youth, and Adults* *References: WIOA Section 3[36]; TEGL 21-16*	Refer to *Section 5.7, Determining Low-Income Status* in the WIOA TAG for more information and for the list of income sources to be used when calculating an applicant's income. Refer to the LLSIL and Poverty Guidelines Directive WSD24-02, for additional information.
Homeless applicant *Applicable for OS Youth, IS Youth, and Adults* *Reference: WIOA Section 3[36]*	See *Table 4 – Barriers to Education and Employment* for "Homeless" criteria.

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Table 6: Low-Income Eligibility Criteria To be eligible as low-income, an applicant must meet **one** of the criteria below. An applicant's family size must be determined before making a low-income determination. (See *Table 5 – Family Size*). Refer to *Section ~~8.4~~ 5.6, Determining Low-Income Status* in the WIOA TAG for more information and for the list of acceptable (and excludable) documentation for calculating an applicant's income.	
Eligibility Criteria	**Acceptable Documentation**
Receives or is eligible to receive a free or reduced-price lunch under the *Richard B. Russell National School Lunch Act* *Applicable for IS Youth* *References: 20 CFR Section 681.270; TEGL 21-16; WSD17-07*	The following documentation may be used to satisfy this criterion (only **one** is required): • Documentation from school • Applicant Statement and case note Note – In schools where the entire school automatically receives free or reduced-price lunch, WIOA programs must base low-income status on an applicant student's eligibility to receive free or reduced-price lunch or on meeting one of the other low-income categories under WIOA.
Is a foster child on behalf of whom state or local government payments are made *Applicable for OS Youth and IS Youth* *References: WIOA Section 3[36]; TEGL 21-16*	See *Table 4 – Barriers to Education and Employment* for "Foster Care" criteria.
Is an applicant with a disability whose own income does not exceed the higher of the Federal Poverty Guidelines or 70% of the Lower Living Standard Income Level Guidelines, but who is a member of a family whose income does not meet such requirements. *Applicable for OS Youth, IS Youth, and Adults* *References: WIOA Section 3[36][A][vi]; 20 CFR Section 663.640*	
See that the applicant meets all of the following: Has a disability (including learning disability).	See "Disability" criterion in *Table 4 – Barriers to Education and Employment*.
The applicant's own income does not exceed the higher of the Federal Poverty Guidelines or 70% of the LLSIL.	See "Family Income" criterion detailed above in this table.
Is a member of a family whose income does exceed the higher of the Federal Poverty Guidelines or 70% of the LLSIL.	See "Family Income" criterion detailed within this table.

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Table 7: Priority of Service *References: WIOA Section 134[c][3][E]; 20 CFR Section 680.600; TEGL 10-09 and 19-16; WSD24-06*	
Priority of Service Category	**Acceptable Documentation**
Category 1: Veteran's and Eligible Spouses who are Low-Income or Basic Skills Deficient	To qualify, an applicant must meet criteria 1 **and** 2 below: (1) Eligible veterans' status The following documentation may be used to satisfy this criterion (only **one** is required): • DD-214 • Military ID Card • State issued ID or Driver's License showing Veteran Designation • Crossmatch with Department of Defense Records • Crossmatch with Veterans Service Database • Letter from the Veterans' Administration (2) Are determined to be either a recipient of public assistance, low-income applicant, **or** basic skills deficient. • See *Table 6 – Low-Income Eligibility* for the "Recipients of SNAP, TANF, SSI, or other Public Assistance" criterion and a list of acceptable documentation. • See *Table 6 – Low-Income Eligibility* for the list of acceptable documentation. • See *Table 4 – Barriers to Employment and Education* for the "Basic Skills Deficient" criterion and a list of acceptable documentation. Refer to *Priority of Service for Veterans and Eligible Spouses* WSD24-15 for more detailed information on Veteran's Priority of Service and when verification of status for veterans and eligible spouses is required.
Category 2: Non-covered persons (applicants who are not veterans or eligible spouses) who are recipients of public assistance, other low-income applicants, and applicants who are basic skills deficient**.**	An applicant qualifies under this category if they are **not** a veteran or eligible spouse; and are **any** of the following: • A recipient of public assistance. See *Table 6 – Low-Income Eligibility* for the "Recipients of SNAP, TANF, SSI, or other Public Assistance" criterion and list of acceptable documentation. • Other low-income applicant. See *Table 6 – Low-Income Eligibility* for the list of acceptable documentation. • An applicant who is basic skills deficient. See *Table 4 – Barriers to Employment and Education* for the "Basic Skills Deficient" criterion list of acceptable documentation.

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Table 7: Priority of Service *References: WIOA Section 134[c][3][E]; 20 CFR Section 680.600; TEGL 10-09 and 19-16; WSD24-06*	
Priority of Service Category	**Acceptable Documentation**
Category 3: Veterans and eligible spouses who are not recipients of public assistance, low-income, or basic skills deficient.	An applicant qualifies under this category if they meet the following criteria: • Have veteran's status as outlined in Category 1 above**.** • Are **not** a recipient of public assistance, a low-income applicant, or basic skills deficient.
Category 4: Anyone who does not belong to one of the above categories, but who belongs to a priority population established by the Governor or Local Board.	Refer to the Local Board policy for locally designated priority populations and acceptable documentation requirements.
Category 5: Other individuals that are not included in WIOA's priority groups.	The applicant's WIOA Program Application shows no indication of the priority groups listed above.

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SECTION 6: DOCUMENT REVISION HISTORY

Version	Date	Section/ Exhibit	Page Number	Revision Description
Initial	09/10/26	NA	NA	This manual revises the document control number and supersedes INT-ELIG-001, Rev. B
		Section 5.1-3	11	Added required eligibility application review process.
		Section 5.7-3	41	Updated the FRWDB Self-Sufficiency Guidelines in Table 2 to reflect the current annual 100% LLSIL for the West Metro area.
		Various	Various	Updated the following EDD state directive references: WSD19-04, Directives for Priority of Service for Veterans and Eligible Spouses was updated to WSD24-15. WSD15-14, Adult Program Priority of Service was updated to WSD24-06.

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