

Effective Date: July 27, 2023

Duration: Indefinite

## **Adult and Dislocated Worker Eligibility Guidance Policy**

### **Purpose**

This guidance provides the One-Stop Operator (OSO) and Career Service Provider (CSP) with the eligibility requirements and documentation required for the Title I Adult and Dislocated Worker programs.

### **Background**

Across all titles, WIOA focuses on serving “individuals with barriers to employment”, as defined in WIOA Section 3(24), and seeks to ensure access to quality services for these populations. The WIOA Final Rule discusses priority and special populations for the Adult and Dislocated Worker programs at 20 CFR 680.600 through .660.

#### **I. Adult Eligibility Requirements**

Individuals must meet the following eligibility criteria for the adult program.

- Age 18 or older;
- Citizen or national of the United States, or other lawfully admitted person;
- In compliance with the Military Service Act (for males born on January 1, 1960 and later)

In addition to the above requirements, the OSO and CSP must follow the Adult Priority of Services Policy when enrolling Title I Adults.

#### **II. Dislocated Worker Eligibility Requirements**

Individuals must meet the above requirements for Adult as well as fall under one of the 5 categories below for Dislocated Workers.

##### **Category 1**

- Has been terminated or laid off, or who has received a notice of termination or layoff;
- Is eligible for or has exhausted entitlement to unemployment compensation; or
- Has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation; and
- Is unlikely to return to previous industry or occupation

Individuals laid off or terminated because of the cyclical, intermittent, or seasonal nature of their employment may be eligible for individualized career services and training services as category 1 Dislocated Workers. Such services can only be made available to individuals who are currently unemployed and have indicated that they are seeking full-time, non-temporary or seasonal work. This does not apply to workers who are on a temporary layoff with a specific return to work date.

### Category 2

- Has been terminated or laid off, or who has received a notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at a plant, facility, or enterprise; or
- Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days

### Category 3

- Was self-employed (including employment as a farmer, rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides, such as:
- Failure of one or more businesses to which the self-employed individual supplied or obtained a substantial proportion of proportion of products or services;
- Substantial layoffs, or permanent closures of one or more plants or facilities that support a significant portion of the State or local economy;
- Depressed prices or markets for the articles produced by the self-employed individual

The determination that a person has become unemployed due to these conditions must be recorded in VOS. Any documentation provided to verify this criterion must be kept in the customer's electronic file and cited in VOS case notes.

### Category 4

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

- Has been dependent on the income of another family member but is no longer supported by that income; or
- Is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, or a call or order to active duty, or a permanent change of station, or the service-connected death or disability of the member; and
- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment

### Category 5

- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or
- Is the spouse of a member of the Armed forces on active duty and is employed or underemployed and is experiencing difficulty in obtaining or upgrading employment

## **III. Underemployed**

In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. Individuals must meet the Adult Eligibility and Priority Policy.

Individuals who are employed and meet the definition of a low-income individual may receive career and training services under the Adult program on a priority basis. Individuals who meet the definition of an individual with a barrier to employment who are underemployed may also be served in the Adult program. However, unless they are a recipient of public assistance, a low-income individual, or are basic skills deficient, they are not eligible for service on a priority basis.

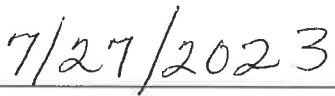
**References**

WIOA Section 3 (15), WIOA Section 3(24), 20 CFR 680.130, 20 CFR 680.600, 20 CFR 680.630, 20 CFR 680.640, 20 CFR 680.660, TEGL 19-16, Workforce Services Guidance-Title I Adult & Dislocated Worker Eligibility

  
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Jerry Mansfield, Executive Director  
South Central Tennessee Development District

  
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Date

  
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Mark Short, Chair  
Local Workforce Development Board

  
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Date