

Approved Date:

Effective Date: July 1, 2023

Subject: Dislocated Worker Program Policy

Purpose

The purpose of this policy is to provide guidance on participant eligibility for enrollment as a Dislocated Worker in the Workforce Innovation and Opportunity Act (WIOA) Title I Program.

Minimum Eligibility Requirements

- I. Individuals are eligible to receive career services under the WIOA Title I Dislocated Worker program if they meet all of the requirements listed below:
 - A. 18 years of age or older
 - B. A citizen of the United States or U.S. Territory, a U.S. permanent resident, or an alien/refugee lawfully admitted to the U.S.
 - C. Registered with Selective Service if applicable
 - D. Meet the requirements of at least one of the additional eligibility categories

Additional Eligibility Categories

- I. An individual who has been terminated or laid off, or who has received a notice of termination or layoff-from employment, including separation from active military service (other than dishonorable discharge) and;
 - A. is eligible for or has exhausted entitlement to unemployment compensation and is unlikely to return to a previous industry or occupation; or
 - B. has been employed for a duration sufficient to demonstrate attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law and is unlikely to return to a previous industry or occupation.
- II. An individual who:
 - A. has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantiation layoff at, a plant, facility, military installation or enterprise;
 - B. is employed at a facility at which the employer has made a general announcement that such facility or military installation will close within 180 days; or
 - C. for purposes of eligibility to receive services other than training services, individualized career services or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.

- III. An individual who was self-employed (including employment as a farmer, rancher, or fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters, as defined by Local Workforce Development Boards (WDBs). This includes family members and farm workers or ranch hands.
 - A. Is a displaced homemaker
 - B. Is the spouse of:
 - 1. a member of the Armed Forces on active duty who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or
 - 2. a member of the Armed Forces on active duty and who meets the criteria for displaced homemaker.

Dislocation Designation

- I. In determining the initial eligibility for dislocated workers, an individual may continue to be considered to be dislocated from a previous employer until:
 - A. The individual works in a permanent, full-time job (minimum of 30 hours per week) for four weeks;
 - B. After an individual works for four weeks and is laid off again or subject to a plant closure, this employer becomes their new employer of dislocation; or
 - C. If there is a National Dislocated Worker Grant (NDWG) or a certified Trade Adjustment Assistance (TAA) petition for the original employer of dislocation and the individual was part of the target group, the individual may be served by the NDWG or TAA funds if they are still available and the individual meets the definition of a dislocated worker. This is true even though the individual has worked for a new employer since the original dislocation.

Funding Eligibility upon Employment

- I. If a dislocated worker is enrolled in a training service and works in a permanent, full-time job that leads to self-sufficiency, career planners must determine if WIOA Title I services can continue to fund the training service based on the following criteria:
 - A. If the individual has accepted full-time permanent employment to meet basic needs of the individual or family to meet their immediate employment goal, training services can continue.
 - B. If the job that the individual has taken requires the training he or she is currently receiving, training services can continue. For example, a participant must obtain a teaching certificate to get or keep a teaching job.
 - C. If the participant has obtained full-time permanent employment and is no longer pursuing the career goal in the Individualized Employment Plan (IEP) but simply wants to complete the training services, funding for the training services should cease. In the event this precludes the participant from completing the training program, consideration to continue funding the training is at the discretion of the Local WDB.

- II. The WIOA Title I Dislocated Worker program does not require an individual to return to the employer of dislocation. A description of their employment must be documented in the data management system.

Equal Opportunity Program / Employer – Auxiliary aids and services available upon request for individuals with disabilities