

ELIGIBILITY HANDBOOK

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Minnesota Department of
Employment and Economic
Development Workforce
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Introduction

The Eligibility Handbook is a guide for staff and service providers to Federal and State eligibility requirements for employment and training programs administered by the Minnesota Department of Employment and Economic Development, Workforce Development Division.

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**I. FEDERAL PROGRAMS
ELIGIBILITY CRITERIA**

**ELIGIBILITY CRITERIA
WORKFORCE INVESTMENT ACT TITLE IB
YOUTH FORMULA GRANT**

I. SPECIFIC CRITERIA

Except as provided in Workforce Investment Act (WIA) laws relating to Job Corps and National Programs, the term “eligible youth” means an individual who—

- Is not less than age 14 and not more than age 21 at time of registration;
- Is a low-income individual (as defined in Section III of this Handbook); and
- Is an individual who is one or more of the following:
 1. Deficient in basic literacy skills
 2. A school dropout (defined under WIA as an individual who is no longer attending **any** school and who has not received a secondary school diploma or its recognized equivalent)
 3. Basic skill deficient (below 8.9 grade level or at least one grade level present below the present grade).
 4. Homeless, a runaway, or a foster child
 5. Pregnant or a parent
 6. An offender
 7. An individual who requires additional assistance to complete an educational program, or to secure and hold employment as determined at the local level.

Use of Funds Requirements for Out-of-School Youth:

WIA requires that Workforce Service Areas (WSAs) use at least 30 percent of their youth allocation under WIA to provide services to out-of-school youth.

Out-of-School Youth are defined in WIA as follows:

- An eligible youth who is a school dropout as defined above; or
- An eligible youth who has received a secondary school diploma or its equivalent but is basic skills deficient (as defined above), unemployed, or underemployed; or
- Youth co-enrolled in WIA and Job Corps (and working on their GED).

Residency:

Only eligible individuals residing in the WSA may be served except that the Local WIA Plan may provide for limited exceptions including providing services to homeless individuals who cannot prove residence within the WSA.

Family of One:

An individual with a disability may be considered an unrelated individual who is a family of one for the purpose of income eligibility determination under WIA.

Five Percent Window:

Not more than five (5) percent of eligible total participants in each local area may be individuals who do not meet the minimum income criteria but fall into one or more of the following categories:

- Individuals who are school dropouts;
- Individuals who are basic skills deficient;
- Individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individuals;
- Individuals who are pregnant or parenting;
- Individuals with disabilities, including learning disabilities;
- Individuals who are homeless or runaway youth, or foster children;
- Individuals who are offenders; or
- Other eligible youth who face serious barriers to employment as identified by the local board.

Selective Service registration is required of all males who reach 18 years of age on or after 1978. An individual who meets this description must demonstrate proof of registration prior to enrollment. See Section VI of this handbook for additional information on Selective Service Registration.

Right to Work: All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolee, or other individuals authorized by the Attorney General to work in the United States.

Veterans Preference: In the provision of all services, eligible veterans receive preference.

Websites:

WIA Youth Program: <http://mn.gov/deed/programs-services/office-youth-development/youth-programs/wia-youth.jsp>, or

Eligibility Handbook:

https://apps.deed.state.mn.us/assets/policies/pdf/elig_hndbk.pdf

WORKFORCE INVESTMENT ACT TITLE IB ADULT TRAINING PROGRAM

ELIGIBILITY CRITERIA

The Workforce Investment Act (WIA) Title IB Adult Training Program requires Workforce Service Areas (WSAs) to provide core, intensive, and training services, in that progression. To be eligible for services, an individual must meet all of the general requirements.

I. General Requirements

- A. **Age.** All participants must be at least 18 years of age.
- B. **Right to Work.** All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individuals authorized by the Attorney General to work in the United States.
- C. **Military Selective Service Act Compliance.** All participants must be in compliance with Section 3 of the Military Selective Service Act (United States Code, Title 50, Appendix section 45).

Upon determining eligibility, services for which an individual is eligible depends upon demonstrated and documented need.

II. Core Services.

Core services are primarily services or informational and are available to all eligible participants.

- WIA eligibility determinations;
- Outreach, intake, and orientation to the WorkForce Center system services;
- Initial assessment of skill levels, aptitudes, abilities, and supportive service needs;
- Job search and placement assistance and where appropriate, career counseling;
- Assistance with analyzing labor market information including:
 - Occupations in demand and skill requirements for such occupations;
 - Employment statistics including the provision of accurate information relating to local, regional, and national labor market areas including:
 - Job vacancy listings and
 - Information on job skills necessary to obtain those jobs.
- Provision of performance information and program cost information on WIA eligible training providers;

- Provision of information on local area performance;
- Provision of information on and where appropriate, referrals are made for locally available supportive services, including child care and transportation;
- Provision of information on Unemployment Insurance and how to file a claim;
- Provision of assistance in establishing eligibility for:
 1. Public assistance, and
 2. Financial aid for training and education programs locally available NOT funded by WIA;
- Provision of group services;
 1. Job club activities
 2. Job search activities
- Provision of group assessment activities;
- Provision of group employability development planning;
- Provision of group career planning; and
- Follow-up services, including counseling regarding the workplace, for participants in WIA activities who are placed in unsubsidized employment for at least 12 months after the first day of employment, as appropriate.

III. Intensive Services

Intensive Services involve additional focused staff-interaction and may only be offered following the initiation of at least one core service (which does not need to be paid for by WIA).

Intensive services must be available to adults who are:

- Unemployed and are unable to obtain employment through core services, and have been determined by local provider to be in need of more intensive services in order to obtain employment, or
- Are employed, but determined by local provider to be in need of such intensive services in order or retain employment that allows for self-sufficiency.

Prior Eligibility: Priority for intensive services will be given to adult individuals (not including those who are being served through Dislocated Worker funding) who:

- Meet the above basic eligibility criteria; and

- Are economically disadvantaged and/or are on public assistance and receiving services in a Workforce Service Area (WSA) with limited funds¹. Within these established priority groups, Veterans must receive priority service.

These services include:

- Development of an individual employment plan, which identifies the participants' employment goals, appropriate achievement objectives, and appropriate combination of services to achieve the employment goals;
- Comprehensive and specialized assessments of skill levels and service needs, including:
 - Diagnostic testing and use of other assessment tools; and
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- Group counseling;
- Individual counseling and career planning;
- Case management for participants seeking training services;
- Work experience;
- Internships;
- Adult education and literacy provided without any linkage to any other training service;
- Pre-vocational services, including the development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills and professional conduct to prepare individuals for unsubsidized employment or training; or,
- Courses not designed to provide immediate employment but to provide the necessary skills to enable the individual to become more employable, including the use of computer software packages.

¹ *The Governor and the local Workforce Investment Boards will jointly decide whether the WSA has limited WIA intensive service funds. Their decision is based on whether the local WorkForce Center can access other public and private funds to meet the expected training needs of adults who are economically disadvantaged and/or are on public assistance.*

IV. Training Services

Training services provide specific employment and occupational skills for participants, and may only be offered following completion of an individual employment plan.

An individual is eligible to receive training services if:

- S/he meets the general eligibility criteria for the WIA Title IB Adult program;
- The goals in the individual's employment plan (prepared as an intensive services) can be met with the proposed training;
- Based upon available labor market information, there is a reasonable expectation that there are opportunities for full-time employment with the proposed training in the area where the participant will (or is willing to) reside upon completion of the program;
- The average wage for employees with this training can lead toward self-sufficiency;
- The participant is unable to obtain grant assistance from other sources such as Federal Pell Grants to fully cover the comprehensive cost of such training;
- The participant can meet the requirements for admission into the program; and
- There is a reasonable expectation on the part of the local partner that the participant will complete the training program based on the participant's current WIA assessment.

Priority Eligibility: Priority for training services will be given to those adult individuals (not including those who are being served through dislocated worker funding) who:

- Are economically disadvantaged and/or are on public assistance and are receiving services in a Workforce Service Area (WSA) with limited funds¹. Within these established priority groups, Veterans must receive priority service.

Training services may include:

- Occupational skills training, including training for nontraditional employment. This training is designed to provide certificates/credentials recognized by government, organized labor, and/or by employer/industry groups. (NOTE: This does NOT include short-term, one-course seminars that provide instruction in specific types of computer software. These seminars are considered to be intensive services.)
- On-the-job training;

- Programs that combine workplace training with related instruction, which may include cooperative education programs;
- Training programs operated by the private sector;
- Skill upgrading and retraining;
- Job readiness training;
- Entrepreneurial training;
- Adult education and literacy provided in combination with services described in the above bullets;
- Customized training, including apprenticeships, conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
- Incumbent Worker Training in order to avert a layoff and if the individual has a low-income job. WIA Adult Policy and Procedures on Incumbent Worker Training: <https://apps.deed.state.mn.us/ddp/PolicyDetail.aspx?pol=340>

Minnesota’s ability to offer training to incumbent workers may change depending upon DOL’s waiver decisions. As of the update of this Handbook (see front cover), local service providers in Minnesota may allocate up to 10 percent of their WIA Adult formula allocation to offer incumbent worker training to WIA Adult program participants **so long as it is to avert a layoff and so long as the participant has a low-income.**

WIA Adult Policy and Procedures on Adult Training:
<https://apps.deed.state.mn.us/ddp/PolicyDetail.aspx?pol=321>

**ELIGIBILITY CRITERIA
FEDERAL AND STATE DISLOCATED WORKER PROGRAM**

DISLOCATED WORKER PROGRAM (DW)

NOTE: Unless specifically stated “federal only” or “state only”, the eligibility requirements for the federal and state DW programs are identical. For definitions, please see refer to the Eligibility Handbook’s Section III – Definitions.

To be eligible for the Dislocated Worker (DW) Program, an individual must meet all the general requirements:

I. General Requirements:

- A. **Requirement of Determination and Timing.** Prior to providing Dislocated Worker (DW) program services to an individual, a service provider must determine that individual is eligible. That determination must adhere to the parameters set within the Eligibility Policy:
(see: <https://apps.deed.state.mn.us/ddp/PolicyDetail.aspx?pol=154>).
- B. **Right to Work.** All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individuals authorized by the Attorney General to work in the United States.
- C. **Military Selective Service Act Compliance.** All participants must be in compliance with Section 3 of the Military Selective Service Act (United States Code, title 50, Appendix section 453).
- D. **Age.** All participants must be at least 18 years of age.
- E. **State Residency (state only).** All participants must be residents of Minnesota at the time employment ends, or have been working in Minnesota at the time employment ended.

II. Specific Requirements:

To be eligible for the DW program, an individual must fall into **at least one** of the following categories:

- A. **Trade Adjustment Assistance Co-Enrollment.** All other requirements in this section notwithstanding, any individual receiving a *notice of termination* from a worksite certified for Trade Adjustment Assistance is automatically eligible for DW Services. The Service provider must co-enroll that individual in either the state or federal DW program.

- B. **Traditional Layoff.** The individual has a long attachment to the labor force, **and** has received a *notice of termination* or has been terminated from employment, **and** is eligible for unemployment insurance, **and** is unlikely to return to a previous industry or occupation.

An exception may be made to allow DW eligibility even if the individual is not eligible for unemployment insurance, if the worker meets all other criteria in this definition **and** is not eligible for unemployment insurance due to either (a) insufficient earnings in the relevant time period **or** (b) having worked for an employer not covered by unemployment compensation law.

- C. **Mass Layoff (State and Federal) or Plant Closing (Federal only).** The individual has received a *notice of termination* or has been terminated from employment as a result of any permanent closure of or substantial layoff at a plant, facility, or enterprise; **or** works at a facility at which the employer has made a *public announcement* that the facility will close within 180 days.

An individual may be eligible for DW services **with the exception of** training services described in section 134(d)(3) of the Workforce Investment Act, if the employer makes a *public announcement* but does not provide a specific closing date, or provides a closing date more than 180 days in the future.

- D. **Long-Term Unemployed (State Only).** The individual is *long-term unemployed* (see definition in Section III). This may include older individuals who may have substantial barriers to employment by reason of age.

- E. **Regular Armed Forces Veteran.** The individual has been discharged from the regular armed forces, for reasons other than a dishonorable discharge.

- F. **National Guard or Armed Forces Reserves Veteran.** The individual is leaving active duty status of the National Guard or Armed Forces Reserves, for reasons other than dishonorable discharge, and meets one of the following conditions: (a) the individual no longer has a civilian job upon his/her return; **or** (b) the civilian job still exists but is no longer appropriate because of the individual's increased skills obtained in the military, leaving the individual essentially underemployed; **or** (c) the civilian job still exists but pays less than eighty percent than the military paid the individual during the time of active service.

Service providers should note the impact the *military service* exception can have on determining primary occupation and/or other rules of eligibility.

- G. **Self-Employed.** The individual is a *self-employed* (see definitions in Section III).

- H. **Displaced Homemaker.** The individual is a *displaced homemaker*, by either the state or federal definition (see definitions in Section III). To be eligible for the state program, the support must have ended while the individual resided in Minnesota.

- I. **Smoking Ban Impact (State Only).** The individual has been permanently separated from employment in a restaurant, bar, or lawful gambling organization from October 1, 2007 to October 1, 2009 due to the implementation of the Minnesota Freedom to Breathe Act of 2007 prohibiting smoking in restaurants and bars. Restaurant/bar/gambling establishment workers who lose their jobs as a result of an equally or more aggressive city or county smoking ban during that time period are also eligible.

- J. **Flexibility.** Service providers have some discretion in interpreting this portion of the policy, given unpredictable and unusual circumstances surrounding many layoff situations. (For example, a communication from an employer announcing a plant closing may be highly ambiguous regarding intent to re-open.) In such situations, service providers must still: (a) refer to at least one of the above specific requirements in this section as the basis for an eligibility determination; (b) document the unusual circumstances behind the provider's interpretation (see Part III. *Documentation section*).

There is no flexibility in the general requirements.

III. Documentation

- A. **Requirement to document.** Service providers must document in the individual's file the basis for determination of eligibility.

- B. **Acceptable documentation.** Official government documentation must exist in the individual's file for all general requirements (right to work, military special service act compliance, and age). The reader can find specific documentation requirements in the attachments to this policy (see Section V – Documentation and Verification).

Self-certification of citizenship or right to work **IS NOT** an acceptable basis for determining eligibility.

- C. **Specific documentation for extended plant closings (Federal Only).** In cases where an employer that has made a *public announcement* decides to extend the projected date of plant closure, after participant program enrollment and beyond an original 180-day window, the dislocated worker customer must provide documentation from the employer. With such documentation, otherwise eligible participants may participate in training services described in section 134(d)(3) of the Workforce Investment Act, in addition to the other DW services for which they have already been found eligible, regardless of the 180-day limit stated elsewhere in this policy.

IV. Eligibility Disqualifications

- A. **General presumption of continuing eligibility.** Unless a customer takes a specific action listed in this section, he/she remains eligible for the program until s/he completes the program, exits voluntarily (e.g., moves out of state), or exits due to circumstances beyond the customer's control (e.g., death). A service provider may preemptively exit a customer only for the reasons stated in this policy, or after consultation with state or federal authorities.
- B. **Compulsory reasons for disqualifying an eligible DW customer.** A service provider **must** immediately exit a customer if it discovers any of the following: (1) the customer no longer meets one or more of the general requirements (right to work, military special service act compliance, age); **or** (2) the customer has undertaken full-time work that does not fall under a reasonable interpretation of *interim employment* or *temporary recall*; **or** (3) the customer, prior to layoff, accepts a buyout package that essentially qualifies the individual as a voluntary quit; **or** (4) the customer has provided false or intentionally misleading information that served as the basis for an eligibility determination; **or** (5) the customer is not in training yet has verifiably stopped a serious search for permanent, full-time work.
- C. **Discretionary reasons for disqualifying an eligible DW customer.** A service provider **may** exit a customer, at its own discretion, if it determines any of the following: (1) the customer presents a direct threat to the health or safety of any employees of the service provider, or any other customers present at the service provider's location; **or** (2) the customer is uncooperative with all reasonable attempts to work with him/her on a successful transition to permanent, full-time work.
- D. **Documenting disqualifications.** The service provider must carefully document any and all cases of disqualification.

V. Training Eligibility

- A. **Importance of Plan.** Just as not every laid off worker is automatically eligible for the DW program, **not** every DW program customer is automatically eligible for training. All training that the service provider pays for using DW funds must have a basis in the employment and training plan (or similar career planning document) that the customer and counselor have agreed upon.
- B. **Training with a Credential.** Any training for a new occupation or industry must take place in a state licensed or registered program (or in a program that is exempt) and should lead to a meaningful credential. Such training is only for dislocated workers whose skills are obsolete and who have no transferable skills likely to result in employment at a comparable wage. Such training is only provided toward occupations or industries with reasonable expectations of job available (i.e. occupations which are in-demand) based on the service provider's thorough assessment of local labor market information, supplied by valid sources of information, where the individual currently lives or is willing to relocate.

- C. **WIA certification (Federal Only).** Customers in federally funded programs may only receive reimbursement for a WIA certified training program. A list is available from the ISEEK web site (<http://www.iseek.org>).

VI. Frequently Asked Questions

The following questions highlight common situations that may be encountered when determining an individual's eligibility for the Dislocated Worker (DW) program.

This section may change, to add, delete, or clarify questions, **without** a public comment period. This agency **will** provide a public comment period for any Questions and Answers (Q&As) that represent substantial changes to an existing policy or practice.

Q: Can an individual be declared ineligible for DW because a service provider does not have sufficient funds to serve that worker?

A: No. Fund availability has nothing to do with an individual's eligibility. A service provider should determine eligibility based **solely** on the parameters laid out in this policy. If a provider does not have sufficient funds to enroll every worker found eligible, they should consult with state authorities to determine what avenues are available to request more funds.

Q: What can the DW program do for someone who is "under-employed?"

A: someone who is employed, even if the employment appears less than appropriate, can only receive service if they would otherwise be eligible for the program **and** if their employment meets the definition of *interim employment*.

Q: A DW program applicant has worked full-time, five and one-half of the last thirty-six months (she was a student before that time). Can we sneak her in?

A: No. She does not meet the requirement for long attachment to the labor force.

Q: A veteran is applying for the DW program. He is a regular armed forces veteran, discharged honorably. He has not yet accessed his benefits available through the G.I. Bill. Also, he wants to go to school for four years. Is he eligible?

A: Yes. It is important to separate out the DW program eligibility of the customer, from the determination of **which DW services** may be most appropriate for that customer. First, determine if the veteran is eligible: In this case, he/she is eligible. Mark him/her eligible and enroll the veteran. Then, work through what training may be appropriate.

This agency requires service providers to use all available federal resources before accessing state resources. This applies to the DW program. The customer should, in their counselor-approved employment and training plan, come up with a course of study and apply G.I. Bill benefits to that course of study. If those resources are not sufficient to complete the plan, the service provider may use DW resources to help the customer finish those studies.

There is nothing in state policy that specifically prohibits paying for a four-year degree. However, the state recommends caution in committing program resources for a training/education period greater than two years, given the corresponding commitment of staff time and lags in outcome reporting. Ultimately, this is a matter for the service provider to decide, on a case-by-case basis, with the best interests of the customer in mind.

Q: A veteran is applying for the DW program. S/he appears eligible for the program. However, s/he says he/she only want the program so that he/she can qualify for Unemployment Insurance while s/he goes to school. S/he says s/he has no other unmet needs that the DW program can help with. Should I enroll him/her?

A: It depends. A service provider should look carefully at any individual who is using Unemployment Insurance, yet claims to need nothing from the Dislocated Worker (DW) program. What will the customer do after unemployment compensation runs out? What is their career plan? Are there books or equipment that they would not get from other programs?

A service provider should engage a customer in this situation, and do their best to determine any unmet needs. If there are possible needs the program can fulfill, the service provider **should** enroll the customer. That customer, of course, has an obligation to abide by the rules of the program. He or she needs to meet with a counselor, generate an employment and training plan, and so on. For as long as the customer is in an approved DW activity, his/her file stays open and active, and counselors must stay in touch for as long as that activity continues.

If there are no needs the program can fulfill, and the customer is clear at that point, the service provider **should not** enroll the individual. He or she would not be conducting a serious search for full-time, permanent employment (see Eligibility Disqualifications above).

Q: A veteran came in with his non-veteran spouse. The veteran is eligible for DW. Is the non-veteran spouse eligible?

A: Possibly. A service provider should make any and all reasonable efforts to define veterans' spouses as eligible for DW, **if and when** that spouse loses a job and seeks services. The spouse still must demonstrate a *long attachment to the labor force*, still must be *unlikely to return* to their prior occupation or industry, and still must meet the general requirements in this policy (right to work, etc.). However, no other specific conditions need apply.

This eligibility criteria applies **only** to the federal program. At the time of this writing, we do not have specific enough guidance from Minnesota's elected officials to allow state funds to be used for this purpose. Of course, if the spouse meets other state eligibility criteria, they are eligible in any case.

See 38 U.S. Code 4215: Priority of Service of Veterans in DOL job training programs and Training and Employment Guidance Letter (TEGL) 10-19, released November 10, 2009 for more information.

Q: A veteran has come in and is a reservist with not much of a work history prior to active duty. Since S/he is a recent high school graduate, his/her only “real” civilian job was working at the local Dairy Queen a few summers ago, so there is no real long term attachment to the labor force. Is s/he eligible?

A: Yes. A veteran need not demonstrate a *long term attachment to the labor force*. The absence of a suitable civilian job upon the reservist’s return is sufficient to trigger eligibility.

Q: A worker in the trades (e.g., carpenter) is requesting program eligibility, since s/he hasn’t had much work lately. S/he’s thinking of a different career. Is s/he eligible?

A: Members of trade unions who generally find work through their association with that Union, may be eligible for DW if their situation is reasonably analogous to a layoff. The agency recommends the following three filters:

1. Is the person *long-term unemployed*?
2. Is the person **not** a high-demand occupation?
3. Is the person committed to shifting into a high-demand occupation?

If the individual can answer “yes” to all three questions, then the service provider may find the individual eligible.

Q: How exactly should one interpret “unlikely to return?” Are we referring to one’s job or one’s occupation?

A: Service providers should define “unlikely to return” to either industry or occupation, and should document as such. Service providers should cite and include the information supporting the determination of “unlikely to return” to either the industry or occupation in the participant’s file as part of the documentation of eligibility. Supporting information may include, but is not limited to:

- Labor Market Information projections for occupation/industry;
- Analysis of lacking job openings;
- Comparison of individual qualifications required for similar positions; and/or
- Evidence of large numbers of layoffs in occupations/industries which create competition for few job openings.

Q: A gentleman walks into the WorkForce Center seeking Dislocated Worker Program services. On January 2, 2012, he is 50 years of age (born after January 1, 1960), but he has only lived in the country for three years, and therefore never registered with the Selective Service. Can we serve him?

A: Yes. However, the local service provider will need to be able to prove that his failure to register with the Selective Service System was “not knowing and willful”, per TEGL 11-11, Change 2. The local provider must require the individual to request a Status Information Letter via the Selective Service System website (<http://www.sss.gov/default.htm>) . The provider is welcome to serve him before receiving the letter, as it can take up to 90 days; simply maintain verification that s/he has requested the letter.

Under different circumstances, if his failure to register was determined to be knowing and willful, he would be ineligible for Workforce Investment Act services. See DEED’s Dislocated Worker and WIA Adult program Selective Service Registration policy and/or TEGL 11-11, Change 2 for additional details.

Q: Our DW program funded training for an individual who failed the class. Can we fund this training again?

A: The local provider should exercise discretion in funding training for an individual who fails a class. Generally, we would discourage funding the same training two times, but there are always exceptions to these rules, such as medical reasons or family emergencies. Providers should note in cases where Trade Adjustment Assistance (TAA) is likely, that there are consequences for poor performance that extend beyond Dislocated Worker. Refer to TAA policies for more information.

VII. Links to Guidance in Specific Situations

Some specific layoffs have resulted in policy guidance specific to that situation. The links below may be helpful for those situations. Guidance for such specific situations does not necessarily translate into general guidance for all eligibility determinations. Consult with state or federal authorities for clarification.

Reference Section:

Cites/References:

Acceptable Documentation for General Program Requirements (page 69)
List of Acceptable Documentation for Right to Work – Attachment A (page 77)
[Minnesota Statutes §144.414](#)
[Minnesota Statutes §116L.17](#)
[Workforce Investment Act Section 134](#)
[Workforce Investment Act Regulations 20 CFR Part 663](#)
[Military Selective Service Act \(50 U.S.C. Appendix 453\)](#)

Contact:

Anthony Alongi, Voice: 651/259-7528 or 1-866-213-1422, TTY/TDD: 651/296-3900
Fax: 651/215-3842, E-mail: Anthony.Alongi@state.mn.us

Web Sites:

Dislocated Worker Program:

<http://mn.gov/deed/programs-services/dislocated-worker/index.jsp>

ELIGIBILITY CRITERIA SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP)

I. Enrollment Eligibility

To be eligible for enrollment, re-certification, or reenrollment, each individual shall meet the criteria for age, income, (Income eligibility must be determined at least once every 12 months or when circumstances may have changed that would affect family income of the participant.) residence or cross-border residency.

All SCSEP applicants and participants must be citizens of the United States or legal resident aliens who are permitted to work. Those persons who are formerly illegal aliens but who have been amnestied and are now legal aliens or U.S. citizens may also participate in the SCSEP.

Each individual enrolled in the SCSEP must be at least 55 years of age and unemployed (see page 54 for SCSEP’s definition of “unemployed”). No upper age limit shall be imposed for initial or continued enrollment.

Federal Poverty Income Guidelines issued by the Department of Health and Human Services provide the basis for determining the levels of low income, based on family size, which determines eligibility for SCSEP. The standard is 125 percent of poverty. Family income shall not exceed that standard. In addition, a disabled person may be treated as a “family of one” for income eligibility purposes.

The Revised Income Eligibility levels below provide the basis for determining the income eligibility for SCSEP applicants and participants after being multiplied by 125 percent to convert poverty to “low-income”.

HHS POVERTY GUIDELINES ADAPTED FOR SCSEP INCOME ELIGIBILITY						
Updated: 1/22/2015	District of Columbia (DC) 48 Contiguous States		Alaska		Hawaii	
Family Size	Poverty Level	X 125%	Poverty Level	X 125%	Poverty Level	X 125%
1	\$11,770	\$14,713	\$14,720	\$18,400	\$13,550	\$16,938
2	\$15,930	\$19,913	\$19,920	\$24,900	\$18,330	\$22,913
3	\$20,090	\$25,113	\$25,120	\$31,400	\$23,110	\$28,888
4	\$24,250	\$30,313	\$30,320	\$37,900	\$27,890	\$34,863
5	\$28,410	\$35,513	\$35,520	\$44,400	\$32,670	\$40,838
6	\$32,570	\$40,713	\$40,720	\$50,900	\$37,450	\$46,813
7	\$36,730	\$45,913	\$45,920	\$57,400	\$42,230	\$52,788
8	\$40,890	\$51,113	\$51,120	\$63,900	\$47,010	\$58,763
For each additional person add:	\$4,160	\$5,200	\$5,200	\$6,500	\$4,780	\$5,975

SCSEP Web Site: <http://mn.gov/deed/job-seekers/find-a-job/targeted-services/older-workers.jsp>

ELIGIBILITY CRITERIA TRADE ADJUSTMENT ASSISTANCE (TAA) PROGRAM

The Trade Adjustment Assistance (TAA) program is available to workers who lose their jobs, or whose hours of work and wages are reduced as a result of international trade. The amended **Trade Act of 1974** (http://www.ssa.gov/OP_Home/comp2/F093-618.html) offers federal assistance to U.S. workers if they lose their jobs or have their hours reduced because of increased imports. TAA is funded by the Employment and Training Administration (ETA) of the U.S. Department of Labor and is administered by the Minnesota Department of Employment and Economic Development (DEED).

Workers may be eligible for training services, job search allowances, relocation allowances, a healthy coverage tax credit, a wage subsidy for workers over the age of 50, and reemployment services. Additional weekly Trade Readjustment Allowances (TRA) may be available to eligible workers when unemployment benefits are exhausted. TRA is typically paid only if an individual is enrolled in or has completed an approved training program or is following an Intensive Work Search Plan with a Waiver of Training.

If a worker does not qualify for TRA, they may still be eligible for reemployment services, training, a Health Coverage Tax Credit, job search and relocation allowances.

Eligibility Determination

When a layoff or work reduction occurs, a petition for TAA must be filed with the U.S. Department of Labor (DOL) and the DEED TAA Coordinator by one of the following:

- A group of three or more workers
- A certified union official or representative
- An official of the employer/firm
- A One-Stop agency or partner agency
- A State dislocated worker unit staff

NOTE: A Community-Based Organization may NOT file a petition.

The petition for TAA is available from DOL's web site (<http://www.doleta.gov/tradeact>).

Questions on completing this form should be directed to the State TAA Coordinator (taa@state.mn.us) at DEED via e-mail, or call toll-free 1-888-234-1330. Filing a petition will trigger an immediate rapid response and basic adjustment services to workers. Rapid reemployment with a suitable wage is the goal. U.S. DOL has 60 calendar days to complete its investigation and make a decision on eligibility.

There are two types of eligibility for TAA benefits: group and individual eligibility. A different process applies to each:

1. Group Eligibility: The U.S. Department of Labor reviews a petition on behalf of a group of workers in a particular company. It decides whether they are eligible to apply for TAA benefits and programs.
2. Individual Eligibility: The local WorkForce Center reviews applications from individual workers whose group petition has already been certified. It determines which TAA program benefits the worker is eligible to receive.

To be eligible for TAA benefits, an applicant must meet three requirements:

- Have lost their job or been "partially separated"*
- Belong to a group of employees certified by the U.S. Department of Labor. This means that an investigation has found that increased imports "contributed importantly" to the loss of jobs or reduction in hours and wages
- Have been laid off or partially separated on or after the impact date and before the expiration date of the certification. The layoff or partial separation had to be caused by lack of work

*"Partially separated" means that their work hours were reduced to 80% or less of their average weekly hours and have suffered a 20% decrease or more in their average weekly wages.

If the applicant meets these requirements, they should visit their nearest local WorkForce Center (<http://mn.gov/deed/job-seekers/workforce-centers/>) and file an application for a determination of individual eligibility for TAA, or contact the State Coordinator at (651) 259-7570 or toll-free at 1-888-234-1330.

Establishing Eligibility

Petition forms can be requested through the State Coordinator (taa@state.mn.us), from the Petition Form (<http://www.doleta.gov/tradeact>), or by calling toll-free at 1-888-234-1330.

Workers who have been certified as "eligible" for Trade Assistance Act benefits may qualify for some or all of the types of assistance. Services available may include:

- Reemployment services
- Job Search allowances
- Relocation allowances
- Funded training
- Weekly Trade Readjustment Allowances for eligible workers who have exhausted their Unemployment Compensation benefits, and are in training or in Waiver of Training status.
- Additional Trade Readjustment allowances while workers are in training
- [Health Coverage Tax Credit](#)
- [Alternative Reemployment Trade Adjustment Assistance \(RTAA\)*](#)

*This is a program for older workers. Certification for this program is determined at the same time the Trade Act petition is determined.

Eligibility Handbook

NOTE: There are specific time limitations to apply for each TAA program benefit, so it is important to move quickly. Applicants must apply for each benefit separately, and must apply for the Trade Adjustment Assistance before TAA activities can begin.

TAA Web Site:

<http://mn.gov/deed/job-seekers/recently-unemployed/layoff/taa.jsp>

II. STATE PROGRAMS
ELIGIBILITY CRITERIA

ELIGIBILITY CRITERIA DISPLACED HOMEMAKER PROGRAM (DHP)

Eligibility for participation in Minnesota's Displaced Homemaker Program includes:

- Must be a person, either female or male, who has worked primarily in the home for a minimum of two years providing unpaid household services to family members and because of loss of their main source of financial support due to separation, divorce, desertion, death or disability of spouse or partner and/or loss of public assistance eligibility must now support themselves and their family.
- Is having difficulty obtaining adequate employment to support their family and/or her/himself.
- Meets income guidelines based on 200% of the Poverty Guidelines as established by the Department of Health and Human Services (table below).
- Sliding fee established for those meeting other eligibility criteria but who exceed the income guidelines.

Federal Poverty Guidelines, Updated January 2015

HHS POVERTY GUIDELINES ADAPTED FOR DHP INCOME ELIGIBILITY						
	District of Columbia (DC) 48 Contiguous States		Alaska		Hawaii	
Family Size	Poverty Level	X 200%	Poverty Level	X 200%	Poverty Level	X 200%
1	\$11,770	\$23,540	\$14,720	\$29,440	\$13,550	\$27,100
2	\$15,930	\$31,860	\$19,920	\$39,840	\$18,330	\$36,660
3	\$20,090	\$40,180	\$25,120	\$50,240	\$23,110	\$46,220
4	\$24,250	\$48,500	\$30,320	\$60,640	\$27,890	\$55,780
5	\$28,410	\$56,820	\$35,520	\$71,040	\$32,670	\$65,340
6	\$32,570	\$65,140	\$40,720	\$81,440	\$37,450	\$74,900
7	\$36,730	\$73,460	\$45,920	\$91,840	\$42,230	\$84,460
8	\$40,890	\$81,780	\$51,120	\$102,240	\$47,010	\$94,020
For each additional person add:	\$4,160	\$8,320	\$5,200	\$10,400	\$4,780	\$9,560

Displaced Homemaker Program Web Site:

<http://mn.gov/deed/job-seekers/find-a-job/targeted-services/homemakers.jsp>

ELIGIBILITY CRITERIA DIVERSIONARY WORK PROGRAM (DWP)

The Diversionary Work Program (DWP) is designed to meet specific crisis situations and help families move immediately to employment rather than go on the Minnesota Family Investment Plan Program (MFIP). Diversionary work includes intensive, up-front services to focus on families' strengths and break down barriers to work. When applying for cash benefits, eligible families enter the Diversionary Work Program and receive intensive services that focus on immediate employment.

I. GENERAL CRITERIA

DWP Employment Services recipients must be eligible to receive a DWP grant. To determine DWP eligibility, caretakers should be referred to their County Human Services Department.

II. SPECIFIC CRITERIA

- Families can participate in the program for only four consecutive months in a twelve consecutive month period.
- After four months on the Diversionary Work Program, if the crisis has not been resolved, families may be eligible for the Minnesota Family Investment Program (MFIP).
- Participation in diversionary work services does not count toward the program's 60-month lifetime limit.
- Before families receive any crisis benefits, participants must develop and sign an employment plan with a job counselor.

**ELIGIBILITY CRITERIA
MINNESOTA FAMILY INVESTMENT PROGRAM (MFIP)
EMPLOYMENT SERVICES**

The Minnesota Family Investment Program (MFIP) provides temporary job counseling, financial assistance and nutrition assistance to low-income families with minor children, and to low-income pregnant women.

I. GENERAL CRITERIA

MFIP Employment Services recipients must be eligible to receive an MFIP grant. To determine MFIP eligibility, caretakers should be referred to their County Human Services Department.

II. SPECIFIC CRITERIA

- MFIP recipients must participate in Employment Services immediately.
- Caretakers under the age of 20 who have not graduated must work towards a high school level education or seek employment if they choose this option.
- There is a 60-month lifetime limit on assistance.
- A parent can be excused from participating in employment services once in a lifetime to care for a newborn child until the child is 12 months of age.
- Domestic abuse victims must develop an employment plan which puts their safety first, but also includes steps to reach economic stability.
- New recipients and those who have not received MFIP during the past twelve months will be required to participate in a four month highly job-focused program called the Diversionary Work Program (DWP).

ELIGIBILITY CRITERIA MINNESOTA YOUTH PROGRAM (MYP)

All participants must meet both the General and Specific Criteria below.

I. GENERAL CRITERIA

Minnesota Youth Program participants must be between the ages of 14 and 21.

II. SPECIFIC CRITERIA

- All must be economically disadvantaged or at-risk youth (see Section IV for Income Guideline Information). **NOTE:** Youth who are eligible to receive free school lunch are considered to be economically disadvantaged.
- An at-risk youth may be classified as a family of one and deemed economically disadvantaged. **NOTE:** Effective immediately, children of dislocated workers who meet age requirements may be classified as a “**family of one**” for purposes of determining eligibility for the Minnesota Youth Program.

For purposes of determining eligibility, the following list of individuals is considered to be at-risk:

- Pregnant/parenting youth;
- Youth with Limited English Proficiency;
- Potential or actual dropouts (Dropout is an individual who is no longer attending any school and who has not received a secondary school diploma or equivalent);
- Juvenile offenders/diversion program youth;
- Youth receiving public assistance and/or group home services;
- Youth with disabilities, including learning disabilities;
- Homeless or runaway youth;
- Chemically dependent or children of drug or alcohol abusers/dependents;
- Youth with basic skills deficiency (below 8.9 grade level);
- Youth with educational attainment one or more levels below grade level appropriate to age; and,
- Foster children.

Selective Service registration is required of all males who reach 18 years of age on or after January 1, 1978. An individual meeting this description must demonstrate proof of selective service registration prior to enrollment. Additional information on Selective Service is in Section VI of this handbook.

Right to Work: All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individuals authorized by the Attorney General to work in the United States.

Veterans Preference: In the provision of all services, eligible veterans receive preference.

Minnesota Youth Program Web Site:

<http://mn.gov/deed/programs-services/office-youth-development/youth-programs/youth-program.jsp>

ELIGIBILITY CRITERIA STATE YOUTHBUILD PROGRAM

All participants must meet both the General and Specific Criteria below.

I. GENERAL CRITERIA

Minnesota Youthbuild Program participants must be between the ages of 16 and 24.

II. SPECIFIC CRITERIA

- 100% of the participants served under the Minnesota Youthbuild Program must be economically disadvantaged (see Section IV for Income Guideline Information) or eligible for the high school graduation incentives program (Minnesota Statute 2011 124D.68, subdivision 2), and be part of one of the following groups:
 1. Persons who are not attending any school and have not received a secondary school diploma or its equivalent; **OR**,
 2. Persons currently enrolled in a traditional or alternative school setting or a GED program that, in the opinion of an official of the school, are in danger of dropping out of school.
- Youth at-risk for dropping out of school **may** include:
 - Teen parents (male or female ages 16-19)
 - Juvenile offenders/diversion program youth
 - Chemically dependent youth or children of drug or alcohol abusers/dependents
 - Youth receiving public assistance and/or group home services
 - Youth with disabilities
 - Homeless youth

Selective Service Registration is required of all males who reach 18 years of age on or after January 1, 1978. An individual meeting this description must demonstrate proof of selective service registration prior to enrollment. Additional information on Selective Service is in Section VI of this Handbook.

Right to Work: All participants must be citizens or nationals of the United States, lawfully admitted permanent residents, lawfully admitted refugees and parolees, or other individual authorized by the Attorney General to work in the United States.

Veterans Preference: In the provision of all services, eligible veterans receive preference.

Youthbuild Web Site:

<http://mn.gov/deed/programs-services/office-youth-development/youth-programs/youthbuild.jsp>

WIA Youth Policies (see individual chapters under Workforce Development Division):

<https://apps.deed.state.mn.us/ddp/PolicyList.aspx>

**ELIGIBILITY CRITERIA
SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
EMPLOYMENT AND TRAINING (SNAP E & T)**

I. GENERAL CRITERIA

Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) participants must meet the requirements of SNAP through income, assets, needs and exemption tests. To determine SNAP eligibility, job seekers should be referred to their County Human Services Department. SNAP E&T is mandatory for abled bodied adults without dependents between the ages of 18 and 50 (ABAWDs) and is time limited unless work and training requirements are met. SNAP E&T provides assessments, employment plans, job related activities, counseling and support services. Services are offered to eligible SNAP recipients between the ages 18 and 50 in designated areas of the state. Please consult with your county or WorkForce Center to determine if the program is offered in your area.

For more information, please contact Steve Erbes at (651) 259-7539 or Steve.Erbes@state.mn.us.

III. DEFINITIONS

- A -

Adult	For WIA program eligibility purposes, an individual 18 years of age or older.
Alien	A foreign-born person who has not qualified as a citizen of the country. Aliens may be residents or non-residents of the United States.
Alternative School	A specialized structured curriculum offered inside or outside of the public school system which may provide work/study high school diploma, and/or GED preparation. For WIA purposes, a youth enrolled in an alternative school is not considered a dropout.
Applicant	Applicants are those persons seeking services, who have filed a completed application and for whom a formal eligibility determination was made, where applicable.
At-Risk Youth (Federal)	An At-Risk Youth is an individual 14 to 21 years of age, who requires additional assistance, as defined by the WSA, to complete an educational program, or to secure and hold employment (see Eligible Youth).
At-Risk Youth – MN (State)	An At-Risk Youth is an individual ages 14 through 21 who meets any one of the following categories of risk: <ol style="list-style-type: none">Pregnant/parenting youthYouth with limited English proficiencyPotential or actual school dropoutOffender or participant in diversion programsPublic assistance recipient/group home servicesYouth with disabilities, including learning disabilitiesChemically dependent youth/children of drug or alcohol abuseHomeless or runaway youthYouth with basic skills deficiencyYouth with educational attainment 1 or more levels below grade level appropriate to ageFoster childEconomically disadvantaged.
At-Risk Dislocated Worker	An individual who is currently employed, has not yet received a layoff notice, and has been identified as being at-risk of being laid off.
Attest	To affirm to be true or genuine, to bear witness, to authenticate officially.

- B -

Basic Skills Deficient	The term “basic skills deficient” means an individual is: <ol style="list-style-type: none">Less than 15 years of age and has a reading or math score of one or more grades below the individual’s high grade; or15 years of age or older and has an English reading, writing, or computing skills below the ninth grade level (i.e. 8.9 or below) on a generally accepted standardized test or a comparable score on a criterion-referenced test.
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- C -

Caretaker	A parent or eligible adult, including a pregnant woman, who is part of the assistance unit that has applied for or is receiving Minnesota Family Investment Act Program (MFIP).
Certification	The formal assertion in writing of some fact.
Child Support	The legal obligation of parents to contribute to the economic maintenance, including education, of their children, enforceable in both civil and criminal contexts.
Citizen, U.S.	All persons born in the United States, or whose parents are U.S. Citizens, or who have been naturalized by the U.S. Government.
Classification of Institutional Programs (CIP) Code	The Classification of Institutional Programs (CIP) code (see http://nces.ed.gov/pubs2002/cip2000/) is required for all “Training” programs across the board (all programs) in order to capture the training program “type” such as “like nursing” rather than an actual occupation, Nurse.
Co-enrollment	The state of being a participant in two or more programs at the same period of time.
Core Services	A level of service (in addition to Intensive and Training) that includes the following services or activities: <ul style="list-style-type: none">staff assisted job search and placement assistance, including career counseling;staff assisted job referrals such as testing and background checks;staff assisted development (working with employer and jobseeker);

Core Services (Continued)

- staff assisted workshops and job clubs;
- follow-up services, including counseling regarding the workplace.

Credential

A credential is defined as any governmental/ industrial/educational/professional recognized degree or certificate. Credentials include, but not limited to a high school diploma, GED or other recognized equivalents, post-secondary degrees and certificates, recognized skill standards and licensure or industry-recognized certificates. It includes all State Education Agency recognized credentials.

Custodial Parent

An MFIP client who is the natural or adoptive parent of a child living with them.

Customized Training

The term “customized training” means training:

- a. That is designed to meet the special requirements of an employer (including a group of employers);
- b. That is conducted with a commitment by the employer to employ an individual on successful completion of the training; and
- c. For which the employer pays not less than 50 percent for the cost of the training.

- D -

Dependent

One who relies upon another for support.

Diploma

A document bearing record of graduation from or of a degree conferred by an educational institution.

Disability

A physical, mental, learning or emotional/behavioral disorder (including substance abuse). An individual who has a disability and for whom this disability constitutes a substantial barrier to employment may be considered a family of one (see Individual with a Disability).

Dislocated Worker

A dislocated worker is an individual who:

- a. (i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment; (ii)(1) is eligible for or has exhausted entitlement to unemployment compensation; or (II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 134(c), attachment to the workforce, but is not eligible for unemployment

**Dislocated Worker
(Continued)**

compensation due to insufficient earnings or having performed services for an employer that were not likely covered under State unemployment compensation law; and (iii) is unlikely to return to a previous industry or occupation.

- b. (i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at a plant, facility, or enterprise; (ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or (iii) for purposes of eligibility, to receive services other than training services described in section 134(d)(4), intensive services described in section 134(d)(3), or supportive service, is employed at a facility at which the employer has made a general announcement that such facility will close; (iii) 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 or because of natural disasters; or (iv) is a displaced homemaker.

Displaced Homemaker

A displaced homemaker is an individual who:

- worked in the home for a minimum of two years caring for home and family without pay; and
- has lost the main source of their financial support due to separation, divorce, desertion, death, or disability of spouse or partner and/or loss of public assistance eligibility; and
- must now support themselves and their family; and
- is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
- meets income guidelines based on 200 percent of the Poverty Guidelines issued by the U.S. Department of Health and Human Services.
- uses a sliding fee schedule if the applicant meets other criteria but exceeds the income guidelines.

**Displaced Homemaker
(continued)**

There is an alternative definition of displaced homemaker for the purposes of carrying out innovative statewide activities noted in WIA Section 134(a)(3)(A)(vi)(1):

For this purpose, a displaced homemaker includes an individual who is receiving public assistance and is within 2 years of exhausting lifetime eligibility under Part A of Title IV of the Social Security Act (42 U.S.C. 601 et seq.)

Federal DW Only: An individual who has been providing unpaid services to family members in the home and who both: (a) has been dependent on the income of another family member but is no longer supported by that income; **and** (b) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment (see WIA Section 101(10)).

State DW Only: An individual who has spent a substantial amount of years in the home providing homemaker services **and** (a) has been dependent upon the financial support of another; and now due to divorce, separation, death, or disability of that person, must find employment to self-support; **or** (b) derived the substantial share of support from public assistance on account of dependents in the home and no longer receives such support.

Documentation

The act or an instance of furnishing or authenticating program eligibility with documents.

DWP

Diversionsary Work Program (DWP) – A four-month intensive job focused program for new welfare applicants and those who have not been on MFIP during the last 12 months.

- E -

Economically Disadvantaged

An individual who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of:

- the official poverty level, for an equivalent period; or
- 70 percent of the lower living standard income level.

Educational Status

Educational Status indicates the current and/or past level of formal education.

Eligibility Handbook

The *Eligibility Handbook* website:

https://apps.deed.state.mn.us/assets/policies/pdf/elig_hn_dbk.pdf

Eligible for *Unemployment Insurance*

An individual who has applied for unemployment insurance and may receive benefits under state or federal unemployment insurance laws. An individual need not actually draw down benefits. Individuals who have exhausted unemployment insurance have already proven eligibility for unemployment insurance, and are included in this definition.

The intent of including unemployment insurance terminology in Dislocated Worker (DW) eligibility policy is to ensure service to those who have truly lost their job through no fault of their own, rather than those voluntarily leaving employment or those discharged from employment for cause.

An exception may be to allow DW eligibility even if the individual is not eligible for unemployment insurance, if the worker meets all other criteria in this definition **and** is not eligible for unemployment insurance due to either (a) insufficient earnings in the relevant time period **or** (b) having worked for an employer not covered by unemployment compensation law.

Eligible Youth

An “eligible youth”, for WIA purposes, means an individual who:

1. Is not less than age 14 and not more than age 21;
2. Is a low-income individual; and
3. Is an individual who is *one or more* of the following:

- Deficient in basic literacy skills.
- A school dropout (**Does NOT** include an individual in an Alternative School).
- Homeless, a runaway, or a foster child.
- Pregnant or a parent.
- An offender.
- An individual who requires additional assistance to complete an educational program, or to secure and hold employment (At-Risk youth – WIA).

Emancipated Minor

A youth, aged 16-17, whose parents have entirely surrendered the right to the care, custody and earnings of such minor, no longer are under any duty to support or maintain such minor, and/or have made no provision for the support of such minor.

Employer Identification Number

A ten digit number used to identify Minnesota employers for the collection of payroll taxes.

Enrollment Date

The date on which an individual began to receive program services after initial screening for eligibility and suitability. Synonymous with “enrollment” is “participation” and “registration”.

- F -

Family

The term “family” means two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A husband, wife, and dependent children;
- A parent or guardian and dependent children;
- A husband and wife.

For purposes of this definition:

- A step-child or a step-parent is considered to be related by marriage;
- One or more persons not living in the single residence but who were claimed as a dependent on the family’s most recent federal income tax return will be presumed to be, unless otherwise demonstrated, a member of the family.

Family of One

The following may be considered a family of one for the purpose of determining program eligibility:

- An adult or youth with a physical, mental, learning, or emotional/behavioral disability. (This includes substance abuse. The disability must be documented if pertinent to eligibility.)
- An individual 14 years of age or older not living with his/her family and receiving less than 50 percent of his/her maintenance from the family in the six-month period previous to program application.
- An individual 18 years of age or older living with his/her family who received less than 50 percent of his/her maintenance from the family in the six-month period previous to program application and is not the principal earner nor the spouse of the principal.

- An at-risk youth may be classified as a family of one and deemed economically disadvantaged. Children of dislocated workers who meet age requirements may be classified as a “**family of one**” for purposes of determining eligibility for the Minnesota Youth Program (**MYP**).

Family Income

The income received from included sources of all members of the family. Family income means income as defined by the Department of Health and Human Services in connection with the annual poverty guidelines and exceptions noted below. Self-employment income is to be determined on the basis of the most recently submitted federal income tax return or on the basis of annualized proceeds posted in more up-to-date acceptable accounting records. All other income is to be annualized based on receipts during the past six months.

Family Income (continued)

Inclusions in Family Income:

- **Gross wages** and salaries before deductions: Total money earnings received from work performed as an employee. If a family’s only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.
- **Income from non-farm self-employment:** Net income (gross receipts minus operating expenses) from a person’s own unincorporated business or other non-farm enterprise in which a person is engaged on his/her own account. If the business or enterprise has suffered a loss, this loss will be allowed to offset wage earnings.
- **Income from farm self-employment:** Net receipts from farm self-employment (receipts from a farm which operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to offset wage earnings. Money received under the Agricultural Crop Stabilization Program is considered income.
- **Money received from such sources as:** Net rents; government and non-governmental pensions (including military retirement pay); Social Security

Disability Insurance (SSDI) payments, railroad retirement benefits; strike benefits from union funds; workers' compensation; alimony; military family allotments or other regular support from an absent family member or someone not living in the household; (except child support payments and military payments indicated below which are excluded from family income calculations); regular insurance or annuity payments; grants (excluding Pell Grants), fellowships, and assistantship; dividends and interests; net royalties; periodic receipts from estates or trusts; and net gambling or lottery winnings.

Family Income (continued)

Exclusions from Family Income:

- Non-cash benefits such as: employer-paid or union paid portion of fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, food support, school lunches, and housing assistance.
- HUD rental assistance subsidies;
- Military pay or allowances by an immediate family member who served on active duty (20 CFR 667.255);
- Needs-based scholarship assistance;
- Financial assistance under Title IV of the Higher Education Act (Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work-Study, PLUS, Stafford and/or Perkins loan considered to be "debt" and not "income;")
- Capital gains and losses;
- Assets drawn down as withdrawals from a bank;
- State and federal Unemployment Compensation;
- Cash welfare payments under a Federal, State or local income-based public assistance program; Payments received under Minnesota Family Investment Program (MFIP), Supplemental Security Income payments for the Aged, Blind and Disabled, Emergency assistance money payments, General Assistance/Work Readiness, Refugee Cash Assistance;
- Old Age and Survivors' Insurance Benefits (Social Security Act Section 202);
- Child support payments;
- Cash payments under Title V of the Older Americans Act;
- Job Corps payments;
- The sale of property, house, or an automobile;
- Tax refunds;

Family Income (continued)

- One-time gifts;
- Loans;
- Lump-sum inheritances;
- One-time insurance payments, or compensation for injury;
- IRA withdrawal
- Cash Value of food and fuel produced and consumed on farms;
- Imputed value of rent from owner-occupied non-farm or farm housing;
Income earned by any person while serving on active duty and certain other veterans' benefits (i.e. compensation for service-connected disability, family compensation for service-connected death, vocational rehabilitation, and education assistance);
- Payment received under the Trade Readjustment Act of 1974;
- Black lung payments received under the Benefits Reform Act of 1977;
- Terminal leave pay'; severance pay or a cash out of accrued vacation time;
- Stipends received in the following programs: VISTA, Peace Corps, Foster Grandparent Program, Retired Senior Volunteer Program, YouthWorks/AmeriCorps program;
- Allowances, earnings, and payments made to individuals participating in WIA programs or any other workforce development program for which eligibility is based upon a needs and/or income test;
- Payments made by the State and/or local on behalf of a foster child.
- When a Federal Statute specifically provides that income or payments received under such statutes shall be excluded in determining eligibility for the level of benefits received under any other statute which income or payment shall also be excluded under WIA.

Family Size

The maximum number of family members during the income determination period. For a separated or divorced applicant, income shall be prorated depending on the length of time during the last six months the applicant lived with the other wage earner. The "actual" family size is the actual number of members in the family without regard to an eligibility test.

The "eligible" family size refers to the number in the family for income eligibility purposes.

For instance, a disabled child living with his or her parents can be considered a “family of one” under current guidelines.

Farm Worker

A person who is self-employed or employed by another, on a farm or ranch which produces agricultural products with annual sales of \$1,000 or more, and who receives at least 50% of their family or individual income from agricultural production. A farm resident may reside in a town near the farm or ranch, if they work on that farm or ranch.

Foster Child

A youth 14-21 years of age on whose behalf state or local government payments (excluding OASPI) are made.

This may include youth who have been made a ward of the state by a court, including those in the following categories:

- Youth in State Institutions;
- Youth in Community Group Homes;
- Youth in Foster Homes;
- Parolees

**Food Stamp Employment and Training Program (FSET)
(now Supplemental Nutrition Assistance Program [SNAP])**

These individuals are automatically classified as “economically disadvantaged.” (*SNAP replaces the Food Stamp Program*)

- G -

GED

A General Equalizing Diploma certificate awarded by the state to persons who have passed five specific subjects.

General Assistance

A benefit program paid on the State or local determination of need. It serves as the state’s primary safety net for single adults and childless couples. Applicant is automatically categorized as “Economically Disadvantaged”.

Graduate

A person who has successfully completed a course or level of study and been awarded a credential such as a certificate, diploma, or degree, etc.

Gross Wages Earnings before deductions of taxes, insurance, union dues, etc.

Guardian An adult with court-ordered responsibility for another person.

- H -

High School An academic program, operated by a state-approved entity, covering relevant course work for grades 9-12 or 10-12, as decided by the state or local school district.

High School Graduate An adult or youth who has received a high school diploma or GED Certificate, but who has not attended any post-secondary vocational, technical, or academic school.

Home One's residence, the house or apartment in which one resides.

Homeless Person An individual who does not have a permanent residence, and whose primary nightly sleeping place is:

- A supervised publicly or privately-operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); or
- An institution that provides a temporary residence for individuals intended to be institutionalized; or
- A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

- I -

Individual with a Disability An individual who has a physical, mental, learning, or emotional/behavioral disability – including substance abuse – which for such individual, constitutes a substantial barrier to applying for or holding a job. This individual is characterized as a “family of one” for eligibility purpose.

Interim Employment A job that provides essential, transitory income while a person participates in the DW program. *Interim employment* must **not** be with the employer that originally dislocated the worker, nor with that employer via third party contract or any other basis, except for *temporary*

recalls. Interim employment must be temporary, with a clear intent to leave work at the completion of the program, in favor of permanent, unsubsidized employment. Interim employment does not have to be part-time; but service providers must be cautious in allowing participants to engage in employment that may preclude effective program participation, particularly if training is involved.

There is no strict policy for defining the wage rate for interim employment. However, the state recommends service providers question any interim employment that earns the individual more than 80 percent of what they previously earned.

- L -

Labor Force Status

The five response choices of the applicant's labor status at *intake* are: employed, full-time; employed, part-time; not employed; previously self-employed (non-farm); or previously self-employed (farm).

The four response choices of the participant's labor status at *termination*: employed, full-time; employed, part-time; unemployed; and not in the labor force.

At intake an "employed individual" is one who, during the seven consecutive calendar days prior to application, did any work at all as paid employee, in his or her own business, profession or farm, worked 15 hours or more as an unpaid worker in an enterprise operated by a member of the family, or is one who was not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not seeking another job.

A "not employed" individual is one who does not meet the above definition of an "employed individual."

The labor status of previously self-employed is applicable only at eligibility determination and not at the time of termination from the program.

Lacks Significant Work History

An adult or youth who had not worked for the same employer for longer than three consecutive months in the two years prior to eligibility determination. A suggested approach for obtaining information on whether a

participant lacks a significant work history is to ask the participant, “Think back over the past two years about full-time and part-time jobs you’ve had. Which employers did you work for during this period? How long did you work for Employer A, for Employer B, for Employer C, etc.?”

Lawfully Admitted

A person who has been given permission to enter the U.S. by the federal government because of their refugee or parolee status.

Legal Alien

A person who is a citizen of another country but who has permission from the federal government to live in the United States. Not all legal aliens are authorized to work in the U.S., thus not all legal aliens can participate in employment and training programs.

Limited English Proficiency

Inability of an applicant, whose native language is not English, to effectively communicate in English, resulting in a barrier to employment.

Long Attachment to the Labor Force

An individual who has been employed, at 20 or more hours per week, for at least six of the most recent 36 months in a single occupation. That occupation may be the applicant’s *primary occupation*. The six months need not be consecutive. See the *Military Service* exception for how to treat returning reservists serving in active duty.

Long-Term Unemployed

An employee of a temporary employment agency, in order to demonstrate a *long attachment to the labor force*, must have worked on the same assignment for the hours and duration noted above.

Unemployed for at least 15 of the last 52 weeks, with limited opportunity in the individual’s local labor market for reemployment in a similar occupation. Such an individual must still be able to demonstrate a *long attachment to the labor force*, prior to the point of unemployment. **NOTE: The 15 weeks need not be consecutive.**

Low Income Individual

For WIA purposes, a low-income individual is an individual who:

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

**Low Income Individual
(Continued)**

- b. received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42U.S.C.402) that, in relation to family size, does not exceed the higher of:
 - 1. the poverty line, for an equivalent period; or
 - 2. 70 percent of the lower living standard income (LLSIL), for an equivalent period;
- c. Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of Stewart B. McKinney Homeless Assistance Act (42U.S.C.1302).
- d. Is a foster child on behalf of whom State or local government payments are made; or
- e. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in paragraph (a) or of subparagraph (b), but who is a member of a family whose income does not meet such requirements.

**Lower Living Standard
Income Level (LLSIL)**

The income standards established by the Director of the Office of Management and Budget to determine economically disadvantaged status. The standards are updated annually. (**See Section IV for current LLSIL information**).

- M -

MFIP

MFIP (Minnesota Family Investment Program) is a comprehensive, work-focused program that replaces AFDC, Food Support Benefits, Family General Assistance, and Project STRIDE for families throughout Minnesota.

**Military Selective Service Act
(MSSA)**

A federal law which required that all males born on or after January 1, 1960 register with the Selective Service System on their 18th birthday.

Military Service Exception

Military reservists returning from active duty within the

last three years prior to program application. Such individuals shall not have any time spent on active duty counted against them, when calculating time parameters. For example, a reservist who spent the last four years in active duty, may look back as long as seven years (instead of the usual three years) to determine their primary occupation and long attachment to the labor force.

Minimum Wage

The lowest wage set by Congress or a state, whichever is higher, which an employer must pay employees. Certain occupations are except from the minimum wage laws, including farm workers on small farms, casual babysitters, and seasonal amusement ride workers.

Most-In-Need

Those people in a given area who, because of ethnic, educational, socio-economic, or other factors, are least able to support themselves and their families.

- N -

National

An individual who, although authorized by the federal government to work in the United States, has allegiance to another country.

Net Wages

Earnings received by an individual after taxes, social security and other deductions are taken out of their paychecks.

Non Cash Income

Food support benefits or compensation received in the form of food or housing.

Non Traditional Employment

The term “nontraditional employment” refers to occupations or fields of work for which individuals from one gender comprise less than 25 percent of the individuals employed in each such occupation or field of work.

Not In Labor Force

A civilian who did not work during the seven consecutive days prior to application and is not classified as employed or unemployed.

Notice of Termination

A *Notice of Termination* is a written notification from the employer, naming one or more individuals and indicating that employment will cease for the individual(s) at a specific future date.

- O -

Offender	An individual who is or has been subject to any stage of the criminal justice process for whom services may be beneficial or who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
Old Age, Disability, and Survivors Insurance	Payments made by the Social Security Administration to retirees, totally disabled adults and minor children whose retired, disabled, or deceased parents paid into Social Security; authorized by the Social Security Act, Title II, Section 202.
Older Workers	Persons 55 or older.
Out-Of-School Youth	<p>An out-of-school youth is defined as:</p> <ul style="list-style-type: none">• an eligible youth who is a school dropout; or• an eligible youth who has received a secondary school diploma or its equivalent, but is basic skills deficient, unemployed or underemployed. <p>Youth co-enrolled in WIA and Job Corps (and working on their GED) are considered out-of-school youth. Youth attending alternative schools ARE NOT considered out-of-school youth.</p>

- P -

Participant or Registrant	<p>Any individual who has:</p> <ul style="list-style-type: none">• been determined eligible for participation upon intake, and• started receiving started receiving employment, training, or services (including follow-up services) funded under the Act following intake. For WIA, participants are individuals who have gone beyond Core services which are informational in nature and require little or no staff time.
Participant File	A file containing the application, enrollment, status change and termination forms, documentation of eligibility, employability development plan and progress notes on a participant.
Partner Services	<p>Partner services are services provided by a “one-stop partner” which means:</p> <ol style="list-style-type: none">a. an entity described in section 121(b)(1) of WIA; and

- b. an entity described in section 121(b)(2) of WIA that is participating, with the approval of the local board and chief elected official, in the operation of a one-stop delivery system. See Partnering Activity (99) in the WIA Activity Menu for further information.

Post-Secondary

Education subsequent to receiving a high school diploma or general equivalency degree (GED).

Potential Drop Out

A potential drop out is an individual aged 14 through 21 who is enrolled in a secondary school or other educational program and who, for one or more of the reasons listed below, is in danger of dropping out of school:

- S/he has poor attendance record (frequent absence, tardiness, and/or truancy); and/or
- S/he is at least one grade level below the performance level for students of the same age as measured in a locally-determined achievement test; and/or
- S/he is recognized by school personnel to be experiencing academic or personal difficulties; and/or
- S/he is a pregnant or parenting teen; and/or
- S/he has formerly dropped out and returned to high school; and/or
- S/he is enrolled in a public alternative school or program; and/or
- S/he has been assessed as chemically dependent; and/or
- S/he is a juvenile offender/diversion program youth; and/or
- S/he has experienced homelessness (as defined by the McKinney-Vento Homeless Assistance Act); and/or
- S/he is a youth with a disability; and/or
- S/he is Limited English Proficient.

Poverty Level

The level of income established by the Department of Health and Human Services at which a person or family is living in poverty.

Pregnant Teen

A female youth age 14-20 who is carrying an unborn fetus.

Primary Occupation

Primary Occupation is the occupation the applicant has worked for the last 36 months. If the applicant has held more than one occupation in that time period, he/she must choose which occupation the program will establish

Primary Occupation Cont. in its records, as long as he/she can establish a *long attachment to the labor force* in that occupation. The service provider must confirm official titles of occupations using labor market information.

Public Announcement A *Public Announcement* is an official communication by an employer stating intent to close a business at a planned future date. This may be a written or verbal acknowledgement of the fact that the business will close. The closure may include a single site of employment; or one or more facilities or operating units within a single site of employment.

For such announcements, program providers must document the impending dislocation event and support a determination that the facility plans to close. State Rapid Response information resources are available for this purpose

Public Assistance Financial cash payments made by federal, state or local program to individuals who meet specific income criteria. Public assistance includes:

- Minnesota Family Investment Program (MFIP)
- General Assistance
- Refugee Assistance
- Supplemental Security Income (SSI)
- Diversionary Work Program (DWP)

- R -

Rapid Response Activity The term “rapid response activity” means an activity provided by a State, or by an entity designed by the State, with funds provided by the State under WIA section 134(a)(1)(A). In the case of a permanent closure or mass layoff at a plant, facility, or enterprise, or a natural disaster, that results in mass job dislocation, the activity assists dislocated workers in obtaining employment as soon as possible, with services including:

1. The establishment of onsite contact with employers and employee representatives:
 - a. Immediately after the State is notified of a current or projected permanent closure or mass layoff; or
 - b. In the case of a disaster, immediately the State is made aware of mass job dislocation if a result of such disaster.

Rapid Response Activity (Continued)	<ol style="list-style-type: none">2. The provision of information and access to available employment and training activities.3. Assistance in establishing a labor-management committee, voluntarily agreed to by labor and management, with the ability to devise and implement a strategy for assessing the employment and training needs of dislocated workers and obtaining services to meet such needs;4. The provision of emergency assistance adapted to the particular closure, layoff or disaster; and5. The provision of assistance to the local community in developing a coordinated response and in obtaining access to State economic development assistance.
Recently Separated Veteran	An individual who is a veteran and was discharged or released from active duty in the Armed Forces within 48 months of date of program application.
Refugee Assistance	Financial assistance provided by a federal or state program to refugees. Applicant is automatically economically disadvantaged.
Residence	A person's primary or permanent dwelling or home. If a person is institutionalized or incarcerated, their place of institutionalization or incarceration is their primary residence.
Retired	No longer working because of age.
Runaway Youth	A runaway youth is an individual 21 years of age or less who has absented himself or herself from home or place of legal residence without the permission of parent(s) or legal guardian.
- S -	
School	An Elementary, Secondary, Post-Secondary institution, including Alternative School.
School Dropout	The term "school dropout" means an individual who is no longer attending any school and who has not received a secondary school diploma or its recognized equivalent. An individual attending an alternative school is NOT a school dropout.
Selective Service Registrant	A person who has complied with the Military Selective Service Act and submitted a registration form to the Selective Service System.

Self-Employed

Any professional, independent trades person, or other business person who works for him/herself. Such a person may or may not be incorporated or in a limited partnership. A family member who provides professional services in the affected business of at least 15 hours per week and receives a salary or wage from the self-employed individual may also be considered to be a self-employed individual.

DW: An individual who may not report to an authority that can lay him/her off, but whose business circumstances put the individual in a position similar to a *termination of employment*. Such circumstances may include but are not limited to:

- Failure of one or more business businesses to which the self-employed individual supplied a substantial proportion of products or services; **and/or**
- Failure of one or more businesses from which the self-employed individual obtained a substantial proportion of products or services; **and/or**
- Substantial layoff(s) from, or permanent closure(s) of, one more plants or facilities that support a significant portion of the relevant state or local economy; **and/or**
- Failure of the self-employed individual's farm or business due to general, relevant economic conditions.

Self-Employed individuals may include both those leaving the enterprise permanently, and those who are in a transition period as a result of a prolonged effort to save the farm or business. A *Self-employed* individual need not be physically removed from the enterprise, nor must he/she necessarily be in bankruptcy or foreclosure proceedings, in order to be considered under this definition. Family members (spouse and adult offspring) and farm or ranch hands who were active participants and derived their primary income from the enterprise may also fall under this definition.

Service-Connected Disabled Veteran

A veteran who is entitled to compensation under laws administered by the Veterans Administration; or an individual who was discharged or released from active duty because of a service-connected disability.

Source Documentation

Hard copy documentation which proves a person's program eligibility.

Spouse	One's wife or husband.
Substance Abuse	The use of drugs or alcohol to the extent that the substance creates a physiological disorder or condition which is the result of or contributes to emotional illness.
Substantial Handicap to Employment	A loss of occupational choices of a class or group of jobs owing to disability, i.e., significant diminishment of occupational choices.
Substantial Layoff (Mass Layoff) – Federal DW Programs	<p>Any reduction-in-force which is not the result of a plant closing and which results in employment loss at a single site of employment during any 30 day period of:</p> <ul style="list-style-type: none">• At least 33% of employees (excluding employees regularly working less than 20 hours per week); or• At least 50 employees (excluding employees regularly working less than 20 hours per week); or
Substantial Layoff (Mass Layoff) – State DW Programs	Is any reduction–in-force of at least 10 employees (excluding employees regularly working less than 20 hours per week) which is not the result of a plant closing and which results in employment loss at a single site of employment during any 30-day period.
Supplemental Security Income	An applicant is receiving benefits from a State plan approved under the Social Security Act, Title XVI indicates applicant is automatically economically disadvantaged.
- T -	
Teen Parent	A male or female, age 14-20, who is legal parent of a child or an unborn fetus.
Temporary Recalls	Temporary recalls are requests from an employer for their former workers, who have either received a <i>notice of termination</i> or been <i>terminated from employment</i> , to return to work for 180 days or less. In a temporary recall, the employer still clearly intends to terminate the worker.
Termination or Exit	When a participant no longer receives services (except for those specified by law to be received after termination such as follow-up services for former WIA participants), the individual has exited or terminated from a program.
Termination of Employment	<i>Termination of Employment</i> is a permanent situation in which the employer lays off or does not plan to rehire the

individual. The following are not considered terminations of employment: (a) seasonal unemployment; (b) an end to an assignment through a temporary employment agency, unless the individual demonstrates the temporary employment agency's inability to make subsequent placements in a similar industry or occupation; (c) a *notice of termination* that includes a certain or tentative recall date within 180 days of the initial layoff date. Any non-seasonal layoff projected to last 180 or more days is a termination of employment.

A retirement or other voluntary separation from the labor force does not constitute a termination of employment. The intent of this definition is to include only those terminated workers who wish to return to permanent, full-time work.

- U -

Under-Employed

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.

Unemployed

An individual who is without a job and who wants and is available for work. The determination of whether an individual is without a job shall be made in accordance with the criteria used by the Bureau of Labor Statistics (BLS) of the Department of Labor in defining individuals as unemployed.

NOTE: Unemployed should not be confused with the term "not employed". The term "unemployed" is a very precise term used by BLS (see above) while the term "not employed" is more analogous to "street talk" about one's not having a job regardless of whether the individual is "ready, willing and able to work".

SCSEP ONLY: The term "unemployed", is used with respect to a person or individual, means an individual who is without a job and who wants, and is available for work, including an individual who may have occasional employment that does not result in a constant source of income.

Unlikely to Return

An individual ***unlikely to return*** to a prior occupation or industry if job opportunities in that occupation or industry are significantly diminished for that individual. The service provider must consider any or all of the following

in determining likelihood of return: (a) official assessments of market demand for the products or services in that occupation or industry; (b) local labor market conditions for that industry or occupation; (c) the evolution of skill requirements in that occupation or industry, and whether the individual's skills have kept pace over time; (d) the impact of technology or trade on the industry or occupation; and/or (e) the impact of a *military service exception*. A service provider must use all reasonable skill assessments, labor market information, and other reliable and established information sources in generating data to support their determination.

Unsubsidized Employment

Means full or part-time employment in a job not financed from funds provided under the source of funding for the training.

- V -

Veteran

An individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable.

Refer to

URL: <http://www.opm.gov/staffingportal/vgmedal2.asp>
for a list of U. S. Armed Forces' campaigns and expeditions.

- W -

Wages

Earnings paid to an individual by an employer for services performed.

Welfare Recipient

An adult or youth listed on welfare grant who (or whose family) receives cash payments under MFIP, General Assistance, or the Refugee Assistance Act of 1980 at the time of eligibility determination.

- Y -

Youth

For WIA purposes a youth is an individual between 14 and 21 years of age, inclusive. Younger youth are between 14 and 18 years of age and Older Youth are between 19 and 21 years of age.

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IV. INCOME GUIDELINES

INCOME GUIDELINES

The Participant Income Table provides information on the poverty level and the lower living standard income level (LLSIL). These two standards are to be used to determine WIA income eligibility based on the size of family and geographical area.

In accordance with WIA an eligible individual shall be one “who has, or is a member of a family which has received a total family income for the six month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, and welfare payments) which, in relation to family size, was not in excess of the higher of (i) the poverty level determined in accordance with criteria established by the Director of the Office of Management and Budget, or (ii) 70 percent of the lower living standard income level...”

Eligibility Handbook

Income Eligibility Table

Revised: 3/27/2015

Family Size	Poverty Level (Jan '15) ¹	Minneapolis/St. Paul MSA (March '15) ²	Metro 70% LLSIL (March '15) ³	Nonmetro 70% LLSIL (March '15) ⁴
1	\$11,770	\$9,212	\$9,328	\$9,006
2	\$15,930	\$15,095	\$15,291	\$14,752
3	\$20,090	\$20,724	\$20,988	\$20,252
4	\$24,250	\$25,578	\$25,910	\$24,998
5	\$28,410	\$30,188	\$30,332	\$29,505
6	\$32,570	\$35,304	\$35,479	\$34,504
7	\$36,730	\$40,419	\$40,626	\$39,502
8	\$40,890	\$45,535	\$45,773	\$44,501
9	\$45,050	\$50,651	\$50,920	\$49,500
10	\$49,210	\$55,766	\$56,067	\$54,499
11	\$53,370	\$60,882	\$61,214	\$59,497
12	\$57,530	\$65,997	\$66,361	\$64,496
13	\$61,690	\$71,113	\$71,509	\$69,495
14	\$65,850	\$76,229	\$76,656	\$74,493
15	\$70,010	\$81,344	\$81,803	\$79,492
16	\$74,170	\$86,460	\$86,950	\$84,491
17	\$78,330	\$91,575	\$92,097	\$89,489
18	\$82,490	\$96,691	\$97,244	\$94,488
19	\$86,650	\$101,807	\$102,391	\$99,487
20	\$90,810	\$106,922	\$107,538	\$104,486

Footnotes:

- 1) The poverty level may be used for families residing anywhere in Minnesota.
- 2) Minneapolis/St. Paul MSA LLSIL **MUST** be used for families residing in the following Minnesota counties: Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington or Wright (**unless Poverty Level is used**).
- 3) The Metro 70% LLSIL **MUST** be used for families residing in the following Minnesota counties: Benton, Clay, Olmsted, Polk, St. Louis or Stearns (**unless Poverty Level is used**).
- 4) The Non-metro 70% LLSIL may be used for families residing in all other Minnesota counties (**unless Poverty Level is used**).

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V. DOCUMENTATION/VERIFICATION

DOCUMENTATION/VERIFICATION

There are three general approaches to documenting eligibility: source documentation, secondary documentation, and counselor/applicant attestation. Each approach is described below. A WSA/program operator staff is to use each of these approaches or combinations thereof to document program eligibility subject to the limitations outlined below.

Source Documentation

Source documentation consists of records, certificates, documents, identification cards, and other items which can be photocopied and included in the participants' files. Source documents include documents issued by a governmental entity, i.e. driver's license, library card, birth certificate, and private documents such as utility bills, paycheck stubs, or termination notices.

Secondary Documentation

Secondary documentation may be one of two types, written or oral. Written statements from governmental, educational, judicial, human service, or other appropriate sources may be used to document eligibility. Service providers may also document eligibility through oral contact with the same resources that could provide written statements. In documenting oral contact, the following information is to be included:

- Date of contact
- Person/agency contacted including name, address, and contact phone number
- Information provided ensuring that the potential participant's name is noted
- Signature/initials of person making contact

Applicant and/or Staff Certified

Frequently those most in need do not have source documents to establish eligibility. These applicants are often homeless, in foster care (official or unofficial) or long-term unemployed without a permanent residence.

The WSA/program operator is to always seek to obtain source or secondary documentation, if the WSA/program operator cannot, it is to use the applicant's attestation methodology. The applicant must attest, in writing, that the information on the application, income worksheet, and/or other supporting material is accurate. The format for attestation will be determined by the WSA, but must allow state monitors to ascertain that attestation has taken place. Applicant attestation **may not** be used to document Military Selective Service Act compliance and age (for youth and older workers).

A counselor must attest to the veracity of these applicants' eligibility. The counselor should explain, in writing, why source or secondary documentation could not be obtained, and that, through information gained from the intake process, s/he is reasonably certain that the information provided through self-attestation is accurate.

In many cases, the public school system maintains most of the documentation required to determine youth eligibility. Citizenship status, age, residency, foster child/institutional status, family size, at-risk status, and barriers to employment can be obtained from the school.

State staff will monitor adherence to these requirements. Localities can choose to document additional data elements that would be useful in writing service strategies with customers. These latter pieces of documentation (if applicable) will be noted by state staff and might be cited as a Best Practice.

Documentation of General Eligibility Criteria

For WIA Title I Adult Training Program and the Youth Formula Grant, the following eligibility criteria must be documented through source documentation prior to enrollment:

- Name
- Age (youth) Membership in priority group (if applicable for eligibility);
- Military Selective Service Act Compliance;
- Citizenship Status/Alien Status: i.e. legal right to work in the United States (e.g. completion of the I-9 form).

Documentation of General Eligibility Criteria for WIA Title I Services

In addition to the documentation cited above, the following must be documented in the files of all WIA Title I participants:

- Residency for WIA Title I Youth Services and for SCSEP: Applicant is a resident of the WSA, if applying for Title I services.
- Economically Disadvantaged: Applicant is economically disadvantaged if applying for WIA Title I Youth Services or for Title I Adult programs (if using a WSA priority of service criterion for economically disadvantaged for the Adult program).
- 5 percent Window: Applicant who is not economically disadvantaged has at least one documented barrier to employment if applying for WIA Title I Youth Services. In the case of individuals enrolled on the basis of a barrier to employment, the barrier itself must be documented.

- Age: The age of youth served must be documented, if applying for WIA Title I Youth Services or for “senior status”, if applying for SCSEP.

Eligibility Handbook

ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	<i>Source Documentation Requirements</i>
Date of Birth/ Proof of Age	Yes	Yes	Yes	Yes	Yes	<p>A copy of a driver's license or state ID; report of Transfer or Discharge paper; a copy of a birth certificate; a copy of an age certificate issued by local school officials; public assistance or social service records; federal, state or local government identification card; passport; hospital record of birth; Social Security Administration printout; work permit; official school record; or baptismal record; DD-214, cross-matched with Department of Vital Statistics and Tribal Records. For state funded youth programs (Minnesota Youth Program and Youth Build), proof of age documentation may also be in the form of a completed United States Department of Justice Immigration and Naturalization Service Form I-9 (Employment Eligibility Verification). NOTE: Self-attestation not permitted.</p>
Proof of Name	Yes	Yes	Yes	Yes	Yes	<p>The documentation may be in the form of a driver's license or state ID; a copy of a utility bill; passport; Veteran's DD-214; health insurance card; Social Security card; or school records.</p>

ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	Source Documentation Requirements
Social Security	Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)	Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)	Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)	Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)	Yes (The refusal of giving a Social Security number CANNOT be used to deny services to otherwise eligible individual)	The documentation may be in the form of a Social Security Card; W-2 form; IRS form letter 1722; pay stubs; Social Security benefits; DD-214; health insurance card; bank records; or official school record.
Residency	Yes	Yes	Yes	Yes	Yes	Documentation may be in the form of self-attestation; driver's license; food stamp award letter; housing authority verification; insurance policy (residence or auto); landlord statement and/or lease(s); letter from social service agency or school; library card; Medicare or Medicaid card; telephone directory; postmarked mail addressed to applicant; property tax record; public assistance record; rent receipt; school ID; utility bill; or voter's registration card. Homeless status may be documented in the form of self-attestation; written statement from individual providing temporary residence; written statement from shelter; or written statement from social service agency.

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ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	<i>Source Documentation Requirements</i>
Selective Service	Yes	Yes	Yes	Yes	Yes	Documentation can be in the form of a selective service acknowledgement letter; a selective service registration card; a stamped post office receipt of registration, Form DD214, Selective Service registration record (form 3A, selective service verification form), screen print of the Selective Service Verification site: www.sss.gov/ReqV/wfverification.aspx . NOTE: Self-Attestation is NOT Permitted
Citizenship/ Alien Status/ Right to Work	Yes	Yes	Yes	Yes	Yes	See Attachment A – Right to Work Acceptable Documents (page 77)
Disability Status	Yes (Documentation is required where related to priority of service.	Yes (Documentation is required where related to priority of service.	Yes (Documentation is required where related to priority of service.	Yes (Documentation is required where related to priority of service.	Yes (Documentation is required where related to priority of service.	Documentation can be in the form of a letter from drug or alcohol rehabilitation agency; medical records; case notes; observable condition; self-attestation; health practitioner's statement; rehabilitation evaluation; school records; psychologist diagnosis; sheltered workshop certification; social service records/referral; Social Security Administration letter/records; Veterans Administration Letter/Records; Vocational Rehabilitation letter; workers' Compensation

ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	Source Documentation Requirements
						records; or disability records. Self-attestation.
Displaced Homemaker Status	Yes (Documentation is required if it is related to priority of service and/or program eligibility)	Yes (Documentation is required if it is related to priority of service and/or program eligibility)	Yes (Documentation is required if it is related to priority of service and/or program eligibility)	No	No	The documentation can be in the form of public assistance record; spouse's layoff notice; spouse's death certificate; public assistance records; divorce records; court records; or bank records. Self-attestation.
Dislocated Worker Status/Date of Actual Qualifying Dislocation	No	Yes	Yes	No	No	Documentation can be in the form of a WARN notice; letter of termination; newspaper article describing dislocation; union letter indicating dislocation; or a layoff notice. Self-attestation.
Unemployment Insurance Status	No	Yes	Yes	No	No	Documentation can be in the form of a Unemployment Insurance cross match or a Unemployment Notice of Entitlement.
Veteran Status	Yes	Yes	Yes	Yes	No	DD-214, cross match with Veterans data.
Individual Status/ Family Size	Yes (Documentation is required if it is related to priority service and/or program eligibility; otherwise, self-attestation is acceptable if it is noted why source)	No	No	Yes	Yes	Documentation can consist of self-attestation or the following items: birth certificate; decree of court; divorce decree; landlord statement; lease; marriage certificate; medical card; most recent tax return; public assistance records; social service agency records; public housing records; written statement from public supported 24-hour care facility or institution (e.g., mental hospital,

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ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	<i>Source Documentation Requirements</i>
	documenta- tion is not available.					prison).
Family of One	Yes (Document ation is required where related to priority service; otherwise self- attestation is acceptable if it is noted why source documentat ion is not available	No	No	Yes (Document ation is required where related to priority service or program eligibility; otherwise self- attestation is acceptable if it is noted why source documentat ion is not available	Yes (Document ation is required where related to priority service or program eligibility; otherwise self- attestation is acceptable if it is noted why source documentat ion is not available	<p>If an individual qualifies as a “family of one” because of more than one reasons, only one reason needs to be documented (e.g. an individual who has a disability or who has been determined to be “financially independent” needs to have either the disability status or the “financially independent” status documented.</p> <p>Documentation of disability can be in the form of medical records; physician’s statement; psychologist’s diagnosis; school records; Workers Compensation records; letter from drug or alcohol rehabilitation agency; rehabilitation evaluation; sheltered workshop certification; or Veterans’ Administration letter/records.</p> <p>Individuals claiming to be financially independent must complete an applicant statement attesting to their individual status. Such statements should be corroborated by the head of household in which that person resides, if possible. The individual must also show the source of his/her support.</p>

ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	Source Documentation Requirements
Low Income Individual/Family Income	Yes	No	No	Yes	Yes	Alimony Agreement, applicant statement, award letter from veteran's administration, bank statements, compensation award letter, court award letter, pension statement, employer statement/contact, family or business financial records, housing authority verification, pay stubs, pension statement, social security benefits, public assistance records, quarterly estimated tax for self-employed persons, Social Security benefits, UI documents.
Temporary Assistance to Needy Families (TANF)/ Minnesota Family Investment Program (MFIP)	Yes	Yes	No	Yes	Yes	Cross match with MFIP public assistance records.
General Assistance or Food Support	Yes (Documentation is required where related to priority service; otherwise self-attestation is acceptable if it is noted why source documentation is not available)	No	No	Yes (Documentation is required where related to priority service and/or program eligibility; otherwise self-attestation is acceptable if it is noted why source documentat	Yes (Documentation is required where related to priority service and/or program eligibility; otherwise self-attestation is acceptable if it is noted why source documentat	Documentation can consist of such items as: copy of public assistance check; public assistance records/printout; cross-match with public assistance database; copy of authorization to receive food support; food support card with current date; food support receipt; letter from food support agency; medical card showing cash grant status; post-marked food support mailer with name and address of

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ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	<i>Source Documentation Requirements</i>
				ion is not available	ion is not available	person receiving benefits; refugee assistance records; or public assistance case number obtained by a staff call to the public assistance office.
Supported Foster Child Status	No	No	No	No	Yes	A supported foster child is a child on behalf of whom state or local government payments are made. Documentation can consist of such items as: case number obtained by staff call to court; court documentation; verification of payments; or written statement from state/local agency.
Basic literacy skills deficiency (as defined in WIA Regulations 20CFR 664.205)	No	No	No	Yes	Yes	Standardized assessment test; school records; or case notes.
Homeless Individual and/or Runaway Youth	No	No	No	Yes	Yes	Written statements from an individual providing residence; shelter or social service agency; WIA registration form, or self-attestation.
Offender	No	No	No	Yes	Yes	Documentation from juvenile or adult criminal justice system; documentation of phone call with court representatives; WIA registration form; or self-attestation. Court documents; Halfway house resident; Letter of Parole; Letter from Probation Officer; Police Records.

ACCEPTABLE SOURCE DOCUMENTATION (Only one Source Document is required for each element)						
Data Element	Adult	Dislocated Worker	NEG	Older Youth	Younger Youth	Source Documentation Requirements
Pregnant or Parenting Youth	No	No	No	Yes	Yes	Documentation consists of a copy of child's birth certificate; baptismal record; observation; doctor's note confirming pregnancy; or self-attestation.
Youth who need Additional Assistance	No	No	No	Yes	Yes	See state policy and state plan, individual service strategy; case notes; WIA registration form; state MIS; or self attestation.
School Dropout	No	No	No	Yes	Yes	Documentation can be in the form of a written statement from the school or applicant statement.

ATTACHMENT A

RIGHT TO WORK LISTS OF ACCEPTABLE DOCUMENTS

LIST A

LIST B

LIST C

**Documents that Establish Both
Identity and Employment
Employment Eligibility**

**Documents that Establish
Identity**

**Documents that Establish
Employment Eligibility**

OR

AND

<p>1. U.S. Passport or U.S. Passport Card</p>	<p>1. Driver's License or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</p>	<p>1. A Social Security Account Number card, unless the card includes one of the following restrictions: (1) Not Valid For Employment (2) Valid For Work Only Within authorization (3) Valid For Work Only With DHS Authorization</p>
<p>2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</p>	<p>2. ID card issued by federal, state, or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address</p>	<p>2. Certification of Birth Abroad issued by the Department of State (Form FS-545)</p>
<p>3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa</p>	<p>3. School ID card with a photograph</p>	<p>3. Certification of Report of Birth issued by the Department of State (Form DS-1350)</p>
	<p>4. Voter's registration card</p>	
	<p>5. U.S. Military card or draft record</p>	
<p>4. Employment Authorization Document that contains a photograph (Form I-766)</p>	<p>6. Military dependent's ID card</p>	<p>4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal.</p>
	<p>7. U.S. Coast Guard Merchant Mariner Card</p>	
<p>5. For a nonimmigrant alien authorized to work for a specific employer because of his or her status: a. Foreign passport; and b. Form I-94 or Form I-94A that has the following: (1) The same name as the passport; and (2) An endorsement of the alien's nonimmigrant status as long as that period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions</p>	<p>8. Native American tribal document</p>	<p>5. Native American tribal document</p>
	<p>9. Driver's license issued by a Canadian government authority</p>	<p>6. U.S. Citizen ID Card (Form I-197)</p>

<p>or limitations identified on the form.</p>	<p>For persons under age 18 who are unable to present a document listed above:</p>	
<p>6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating non-immigrant admission under the Compact of Free Association Between the United States and the FSM or RMI</p>	<p>10. School record or report card</p>	<p>7. Identification Card for Use of Resident Citizen in the United States (I-179)</p>
	<p>11. Clinic, doctor, or hospital record</p>	
	<p>12. Day-care or nursery school record</p>	<p>8. Employment authorization document issued by the Department of Homeland Security</p>
<p>WSAs/Service Providers must examine the documents participants present to complete Section 2 of Form I-9. WSAs/Service Providers are not required to be document reporters. They must accept documents that reasonably appear to be genuine. However, if the participant provides a document that does not appear to be genuine, the WSA/Service Provider must ask for additional documentation.</p>		
<p>This form is identical to Form I-9 (revised 09.05.2013). DEED Staff will keep this document updated to reflect any revisions in Form I-9.</p>		

VI. SELECTIVE SERVICE ACT REQUIREMENTS

SELECTIVE SERVICE ACT REQUIREMENTS

The purpose of this section is to reiterate State policy that prohibits the employment of, or provision of services to, an individual who has not demonstrated compliance with the registration requirements of the Military Selective Service Act.

It also establishes the procedures to be followed in determining the Selective Service status of males 26 years of age or older who are otherwise WIA eligible.

Selective Service registration is required of all males born on or after January 1, 1960 when they reach their 18th birthday. Any male meeting this description must have proof of registration prior to being enrolled in WIA. Please refer to Attachment A: Who Must Register Chart.

The Solomon Amendment to the Military Selective Service Act extended the compliance requirement to all Federal employees.

Participants, Age 18 Through 25

WSA's and program operators must ensure that all applicants meet the requirement of the Military Selective Service Act before being enrolled by the WSA. Verification of registration must be maintained in the participant file. Acceptable verification includes:

- A copy of the Selective Service Acknowledgement letter received after Selective Service registration.
- Verification through contact with Selective Service. To obtain verification, the WSA or contractor is to printout the verification screen: www.sss.gov/RegVer/wfverification.aspx.
- Form DD-214
- Selective Service Registration Card
- Selective Service Verification Form (Form 3A)
- Stamped Post Office Receipt of Registration

If a male turns 18 while participating in any applicable services, registration with Selective Services must be completed no later than 30 days after becoming 18 in order to receive WIA Title I funded services. If a man under the age of 26 refuses to register with the Selective Service, WIA Title I funded services must be suspended until registration.

WSA's and program operators MAY NOT accept self-certification as proof of Selective Service registration.

Unregistered Males 26 or Older

For males born on or after January 1, 1960, who are 26 or older and who have not complied with the requirements of the Selective Service Act, the following procedures must be followed:

The individual must obtain a "Status Information Letter" from Selective Service from Selective Service indicating whether he was required to register. The "Request for Status Information Letter" can be accessed at <http://www.sss.gov/PDFs/infoform.pdf> and the instructions can be accessed at <http://www.sss.gov/PDFs/instruction.pdf>. The individual will need to describe, in detail, the circumstances that prevented him from registering (e.g. hospitalization, incarceration, military service, etc.) and provide documentation (including dates) of these circumstances.

If the "Status Information Letter" indicates that an individual was not required to register for the Selective Service, then he is eligible to enroll in WIA Title I authorized/funded services. **IF THE STATUS INFORMATION LETTER INDICATES THAT THE INDIVIDUAL WAS REQUIRED TO REGISTER AND NOW CANNOT BECAUSE HE IS 26 YEAR OF AGE OR OLDER, HE IS PRESUMED TO BE DISQUALIFIED FROM PARTICIPATION IN WIA TITLE I FUNDED ACTIVITIES AND SERVICES UNTIL IT CAN BE DETERMINED THAT HIS FAILURE TO REGISTER WAS NOT KNOWING AND WILLFUL.** All costs associated with grant funded services provided to non-eligible individuals may be disallowed.

If the individual was required but failed to register with the Selective Service, the individual may only receive WIA Title I authorized/funded services if the individual establishes by preponderance of evidence that the failure to register was not knowing nor was it willful. The WIA Title I program operator enrolling individuals is the entity responsible for evaluating the presented evidence and for determining whether the failure to register was a knowing and willful act.

The individual should be encouraged to offer as much as evidence and in much detail as possible to support his case that the failure to register was not a knowing and willful act. The following are some examples of documentation:

- Service in the Armed Forces: Evidence that a man has served honorably in the Armed Forces (DD 214; Honorable Discharge Certificate)
Third Party Affidavits: Affidavits from parents, teachers, employers, physicians, etc., may also be helpful
- Aliens entering the United States on or after age 26: Immigration records detailing date of entrance and date of birth of the individual.
- Former illegal aliens: Men 26 years of age who entered the United States illegally and who were subsequently granted legal status by federal immigration authorities or who were born after December 31, 1959 but who were not registered with the Selective Service can be enrolled into WIA Title I ONLY after the "Status Information

Letter” indicates that the government has no evidence that the individual knowingly and willfully failed to register. The individual then has to provide a written statement why there is no evidence of their registration, and in doing so, provide evidence that they did not knowingly or willfully failed to register.

- Non-Immigrant Aliens: Lawful non-immigrant are not required to register with Selective Service, but must be authorized to work in the United States.

In determining whether the failure was “knowing,” the enrolling organization should ask the following questions of the individual:

- Were you aware of the registration requirement?
- If you were aware of the registration requirement, were you misinformed about the applicability of the requirement to you?
- On which date did you first learn about the need to register?
- Where did you live between the ages of 18 and 26?
- Does the Status Information Letter indicate that the Selective Service sent letters to the individual at that address and did not receive a response?

In determining whether the failure was “willful, the enrolling organization should ask the following questions of the individual:

- Was your failure to register done deliberately and intentionally?
- Do you feel you have the ability to choose whether or not to register?
- What actions, if any, did you take when you learned of the requirement to register?

If the enrolling organization determines that the failure to register was not knowing and willful and the individual is otherwise eligible, services may be provided. If the failure was knowing and willful, WIA services must be denied.

Enrolling organizations must keep all documentation related to each case.

Who Must Register Chart

With only a few exceptions, the registration requirement applies to all male U.S. citizens and male aliens residing in the United States who are 18 through 25 years of age.

Category	YES	NO
All male U.S. citizens born after December 31, 1959, who are 18 but not yet 26 years old, except as noted below.	X	
Military-Related		
Members of the Armed Forces on active duty (active duty for training does not constitute "active duty" for registration purposes)		X*
Cadets and Midshipmen at Service Academies or Coast Guard Academy		X*
Cadets at the Merchant Marine Academy	X	
Students in Officer Procurement Programs at the Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, Virginia Polytechnic Institute and State University		X*
National Guardsmen and Reservists not on active duty	X	
Delayed Entry Program enlistees	X	
ROTC Students	X	
Separatees from Active Military Service, separated for any reason before age 26	X*	
Men rejected for enlistment for any reason before age 26	X	
Civil Air Patrol members	X	
Aliens**		
Lawful non-immigrants on visas (e.g., diplomatic and consular personnel and families, foreign students, tourists with unexpired Form I-94, or Border Crossing Document DSP-150)		X
Permanent resident aliens (USCIS Form I-551)	X	
Special (seasonal) agricultural workers (I-9)	X	
Special agricultural workers (I-9)		X
Refugee, parolee, and asylee aliens	X	
Undocumented (illegal) aliens	X	
Dual national U.S. citizens	X	
Confined		
Incarcerated, or hospitalized or institutionalized for medical reasons		X*
Handicapped physically or mentally		
Able to function in public with or without assistance	X	
Continually confined to a residence, hospital, or institution		X

Information continued on next page

Chart Information Continued:

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

**Residents of Puerto Rico, Guam, Virgin Islands, and Northern Mariana Islands are U.S. Citizens. Citizens of American Samoa are nationals and must register when they are habitual residents in the United States. Habitual residence is presumed whenever a national or citizen of the Republic of the Marshall Islands or the Federated States of Micronesia resides in the United States for more than one year in any status, except as a student or employee of the government of his homeland.

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

The Selective Service System
Office of Public and Intergovernmental Affairs
National Headquarters
Arlington, Virginia 22209-2425

June 26, 2009



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