**Workforce Investment Act Title I-B  
Washington State Policies**

**SECTION D: Program Plans and Operations**

Grantees, subrecipients, and contractors funded under the Workforce Investment Act, (WIA) whether in whole or in part, must abide by the Workforce Investment Act of 1998, the WIA Regulations, all applicable Office of Management and Budget (OMB) Circulars, state regulations in laws and rules (Revised Code of Washington and Washington Administrative Code), Office of Financial Management (OFM) policies, and the Washington State WIA Policies.

|  |  |
| --- | --- |
| **EFFECTIVE DATE: WIA POLICY NUMBER: SUBJECT:** | September 4, 2003 3640, Revision 1 Eligibility and Priority for Services WIA Title 1-B Adult Employment and Training Grant |

[**BACKGROUND**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#BACKGROUND) **|** [**POLICY**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#POLICY) **|** [**DEFINITIONS**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#DEFINITIONS)[**REFERENCES**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#REFERENCES) **|** [**SUPERSEDES**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#SUPERSEDES) **|** [**WEBSITE**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#WEBSITE) **|** [**INQUIRIES**](http://www.wa.gov/esd/1stop/policies/documents/archive/3640%20rev1.htm#INQUIRIES)

**BACKGROUND**

The Workforce Training and Education Coordinating Board (Board) and the Employment Security Department (ESD) are jointly responsible to develop recommendations to the Governor regarding   
state policies for “eligibility” and “priority selection” for intensive and training services funded by the Workforce Investment Act (WIA) Title I-B Adult Employment and Training Grant.

The Board and ESD are also jointly responsible to develop recommendations to the Governor regarding state policies for “eligibility” for intensive and training services funded by WIA Title I-B DislocatedWorker Grant. This state policy for eligibility for intensive services and training services funded under the WIA Title I-B Dislocated Workergrant is covered in a separate document.

The Board and ESD developed a policy draft and jointly distributed the draft for review and comment on August 23, 1999. The policy draft was broadly shared (by electronic e-mail and otherwise) with over 184 individuals and groups. The policy draft builds upon WIA rules and U.S. Department of Labor regulations (Final Rule 20CFR Part 652; Part 660 et. al.) and proposes state policy and local Workforce Development Council policy responsibilities.

The draft policy emphasizes local flexibility in order to reflect economic, demographic, and resource differences between areas.

The Board and ESD received positive comments on the draft, including comments and advice from JTPA Service Delivery Area Directors.

Their useful suggestions were incorporated in the final policy draft. The Board reviewed the draft policy at the October 18, 1999, Board meeting. The Board adopted the following policy, with amendments, on November 10, 1999.

The purpose for revision 1 is to make changes to Part C Priority Selection for Intensive Services and Training Services (see page 4) to be in compliance with “Jobs for Veterans Act” Public Law 107-288 requirements.

**POLICY**

**Part A**

**Eligibility for Intensive Services Funded Under the Workforce Investment Act (WIA) Title I-B Adult Employment and Training Grant**

At a minimum, adults (18 years of age and older) must receive at least one WorkSource core service, such as an initial assessment or job search and placement assistance, to become eligible to receive intensive services funded by the WIA Title I-B Adult Employment and Training Grant. There is no federally-required or state-required minimum time period for participation in core service before receiving intensive services funded under the WIA Title I-B Adult Employment and Training Grant.

There are two categories of adults who are eligible to receive intensive services funded under the WIA Title I-B Adult Employment and Training Grant:

1. Adults who are unemployed, have received at least one core service and are unable to obtain employment through core services, and are determined by a One-Stop operator to be in need of more intensive services to obtain employment.
2. Adults who are employed, have received at least one core service, and are determined by a One-Stop operator to be in need of intensive services to obtain or retain employment that leads to “self-sufficiency”. Self-sufficiency (in this context) must be defined in writing by the Workforce Development Council (WDC).

Being determined “eligible” for intensive services funded under WIA Title I-B does not entitle an individual to receive WIA Title I-B intensive services.

The eligibility determination for intensive services shall be made on a case-by-case basis at the local level depending upon the needs and individual circumstances of the participant and local economic conditions.

The local area WIA Title I-B Operations Plan must describe the Workforce Development Council’s criteria for: 1) managing case-by-case decision-making for consideration for individual eligibility for intensive services, including how the decision-making process will be equitable and result in priority populations being served to the extent identified by the WDC;

and 2) managing the amount of time during which participants receive services so that services are provided efficiently and effectively, without undue delays in service.

**Part B**

**Eligibility for Training Services Funded Under the WIA Title I-B Adult Employment and Training Grant**

At a minimum, an adult must receive at least one WorkSource intensive service, such as development of an individual employment plan with a case manager or individual counseling and career planning, before the individual is eligible to receive training services funded by the WIA Title I-B Adult Employment and Training Grant. The case file must contain a determination of need for WIA Title I-B training services as identified in the individual employment plan, comprehensive assessment, or through any other intensive service received.

There is no federally-required or state-required minimum time period for participation in intensive services before receiving training services funded under the WIA Title I-B Adult Employment and Training Grant*.*

Training services, funded under the WIA Title I-B Adult Employment and Training Grant, may be made available to employed and underemployed adults who:

1. Have met the eligibility requirements for intensive services, have received at least one WIA Title I-B intensive service, and have been determined to be unable to obtain or retain employment through such services. The eligibility determination shall be made on a case-by-case basis at the local level depending upon the needs and individual circumstance of the participant and local economic conditions. The local area WIA Title I-B Operations Plan must describe the Workforce Development Council’s criteria for: 1) managing case-by-case decision-making for consideration forindividual eligibility for training services, including how the decision-making process will be equitable and result in priority populations being served to the extent identified by the WDC; and 2) managing the amount of time during which participants receive services so that services are provided efficiently and effectively, without undue delays in service completion.
2. After an interview, evaluation or assessment, and case management, have been determined by a One-Stop operator or One-Stop partner, to be in need of WIA Title I-B training services and to have the skills and qualifications to successfully complete the selected training program.
3. Select a program of training that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate.
4. Are unable to obtain grant assistance from other sources to pay the costs of training as described in 20 CFR 663.310(a)(4).

Being determined “eligible” for training services funded under WIA Title I-B does not entitle an individual to receive WIA Title I-B training services.

**Part C**

**Priority Selection for Intensive Services and Training Services Funded Under the WIA Title I-B Adult Employment and Training Grant**

The Act requires that in the event that funds available under the WIA Title I-B Adult Employment and Training Grant are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The U.S. Department of Labor has determined that WIA funding is limited, therefore, policies directing priority service to low income and welfare recipients in the area must be developed.

*First priority:* The WDC shall ensure that recipients of public assistance and other low-income individuals (who are eligible for intensive or training services based on eligibility criteria described in Parts A and B of this policy) are given first priority enrollment for intensive services and training services funded under the WIA Title I-B Adult Employment and Training Grant. Veterans or other covered persons who are recipients of public assistance and low-income veterans shall be given first priority among this first priority group.

*Second priority* shall be given to veterans who are eligible for intensive or training services based on eligibility criteria described in Parts A and B or this policy. The terms “Veterans” and “other covered persons” are defined in WIA Policy No. 3641.

*Third priority* shall be given toindividuals (who are eligible for intensive or training services based on eligibility criteria described in Parts A and B or this policy) with income under 175 percent of poverty.

*Fourth priority:* A decision to prioritize additional groups beyond those prioritized in this state policy is a decision that is made by the WDC in consultation with chief local elected officials.

These priority-for-service policies must be in writing. For example, the WDC might target a certain percent of funds budgeted for intensive services and a certain percent of funds budgeted for training services for public assistance recipients and other low income individuals. Establishing such a policy does not mean that only public assistance recipients and other low income individuals may receive intensive services and training.

The WDC shall describe, in the local area WIA Title I-B Program Operations Plan, the priority policy, and describe the combined planning efforts made among WorkSource partners to address the intensive and training services needs of job seekers including low-income and Temporary Assistance for Needy Families (TANF) recipients in the Workforce Investment Area taking into consideration all available local, state, and federal training resources.

The funds budgeted by the local WDC for WorkSource intensive services and training services out of the WIA Title I-B Adult Employment and Training Grant represent only a part of this funding equation.

Enrollment decisions in the process of selecting individuals for WorkSource intensive services and training services funded through the WIA Title I-B Adult Employment and Training Grant should follow locally established policies based upon this combined planning effort to coordinate the use of Wagner-Peyser, TANF WorkFirst, TANF Welfare Savings fund, Welfare-to-Work (WtW), Food Stamps, Employment and Training Programs, state and federal adult basic education grants, vocational rehabilitation services, WIA Title I-B Adult Education and Training Grant, and many other training resources and financial aid grants.

**Note:** Policies regarding service priority for the WIA Title I-B Adult Employment and Training Grant do not apply to individuals served through the WIA Title I-B Dislocated Worker Grant.

**Future Revisions to this State WIA Title I-B Policy**

WTECB and the Employment Security Department (ESD) will evaluate this state WIA Title I-B policy as it is implemented. WTECB and ESD may modify this state policy (either statewide or affecting certain Workforce Investment Areas); for example, adverse impacts for low income and welfare recipients.

WDCs and Local Chief Elected Officials may revise their local area priority policy for intensive services and training services funded under the WIA Title I-B Adult Employment and Training Grant by submitting a modification to their WIA Title I-B Operations Plan for state approval.

**DEFINITIONS**

“Low-income individuals” are defined in WIA Sec.101(25)   
“Veterans and other covered persons” are defined in state WIA Policy No. 3641

**REFERENCES**

* WIA Sec.134(d)
* Final Rule 20 CFR Part 652; Part 660 et. al.
* 20 CFR Part 663 Subparts A, B, and F
* Jobs for Veterans Act – Public Law 107-288

**SUPERSEDES**

WIA Policy 3640 Original Effective Date: December 1999

**WEBSITE**

<http://www.wa.gov/esd/policies/title1b.htm>

**DIRECT** **INQUIRIES TO:**

Martin McCallum   
Workforce Training and Education Coordinating Board   
E-Mail: [mmccallum@wtb.wa.gov](mailto:mm@wtb.wa.gov)   
Telephone: (360) 586-0151   
Fax: (360) 586-5862