



WorkSource System Policy
WorkSource Standards & Integration Division

Washington envisions a nationally recognized fully integrated One-Stop system with enhanced customer access to program services, improved long-term employment outcomes for job seekers and consistent, high quality services to business customers. In order to achieve this vision, the WorkSource Standards & Integration Division sets a common direction and standards for Washington's WorkSource system through the development of WorkSource system policies, information memoranda, and technical assistance.

Policy Number: 3640, Revision 2
To: Washington WorkSource System
Date of Publication: June 10, 2011
Subject: Eligibility and Priority for Services
WIA Title 1-B Adult Employment and Training Grant

1. Purpose:

This policy provides guidance on eligibility for Intensive and Training Services and Priority Selection for Intensive and Training Services. The purpose of this second revision is to support the Governor's goals and directives in regards to the use of WIA Statewide (10%) Discretionary funds.

2. Background:

The Workforce Training and Education Coordinating Board (Workforce Board) and the Employment Security Department (ESD) are responsible for providing 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 Workforce Board and ESD are responsible for providing recommendations to the Governor regarding state policies for "eligibility" for intensive and training services funded by WIA Title I-B Dislocated Worker Grant. This state policy for eligibility for intensive services and training services funded under the WIA Title I-B Dislocated Worker grant is covered in a separate document.

The Workforce 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 20 CFR Part 652; Part 660 et. al.) and proposes state policy and local Workforce Development Council (WDC) policy responsibilities.

The draft policy emphasizes local flexibility in order to reflect economic, demographic, and resource differences between areas. The Workforce 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 Workforce Board reviewed the draft policy at the October 18, 1999, board meeting. The Workforce Board adopted the following policy, with amendments, on November 10, 1999.

The purpose of the first revision was to make changes to section 3c: 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.

The purpose of the second revision is to make changes to section 3c: Priority Selection for Intensive Services and Training Services (see page 4) in response to directives from the Governor relative to the use of the WIA Statewide (10%) Discretionary funds:

- *Allocation of Additional Discretionary WIA Funds in Support of Washington’s Aerospace Industry* issued May 31st to the Executive Director of the State Board for Community and Technical Colleges and the Commissioner of ESD which provides resources to support students pursuing careers in aerospace and the development of aerospace training programs.
- *Allocation of Additional Discretionary WIA Funds in Support of Job Creation Efforts* issued on May 17, 2011 to the Director of the Washington Department of Commerce for Colleges and the Commissioner of the Employment Security to support workforce training in relation to job creation, business recruitment and expansion efforts.

For purposes of projects funded with WIA Statewide (10%) Discretionary funds, the Governor has eliminated the requirement that priority be given to low-income individuals exclusively. The intent behind the change is to allow services to be provided to unemployed workers and low income adults while expanding the program to allow services to be provided to other Washington job seekers. Recipients of Discretionary grants/contracts will continue to provide priority selection of veterans for Intensive and Training Services as required under P.L. 107-288 “Jobs for Veterans Act”.

3. Policy:

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:

- i. 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.

- ii. 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 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 Workforce Development Area (WDA) WIA Title I-B Operations Plan must describe the WDC’s criteria for:

- i. 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.
- ii. Managing the amount of time during which participants receive services so that services are provided efficiently and effectively, without undue delays in service.

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:

- i. 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 WDA WIA Title I-B Operations Plan must describe the WDC's criteria for:

- Managing case-by-case decision-making for consideration for individual 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.
 - Managing the amount of time during which participants receive services so that services are provided efficiently and effectively, without undue delays in service completion.
- ii. 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.
 - iii. 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.
 - iv. 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.

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

The Act requires that in the event that a WDA determines 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. Local policies on priority of service to low income and welfare recipients in the area must be developed according to the following priorities:

- i. 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 sections 3a and 3b 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.
- ii. 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.

- iii. Third priority shall be given to individuals (who are eligible for intensive or training services based on eligibility criteria described in sections 3a and 3b of this policy) with income under 175 percent of poverty.
- iv. 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.

Priority Selection for Intensive Services and Training Services Funded with WIA Statewide (10%) Discretionary Grants/Contracts

The State has determined that funds are not limited for purposes of the WIA Statewide (10%) Discretionary funds.

The Governor has determined that these funds shall be prioritized as follows:

- Unemployed individuals;
- Low-income individuals;
- Other Washington job seekers.

Recipients of Discretionary grants/contracts will continue to provide priority selection of veterans for Intensive and Training Services as required under P.L. 107-288 “Jobs for Veterans Act”.

Future Revisions to this State WIA Title I-B Policy

The Employment Security Department (ESD) will evaluate this state WIA Title I-B policy as it is implemented. 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.

4. Standards:

N/A

5. Definitions:

“Low-income individuals” are defined in WIA Sec.101(25)

“Veterans and other covered persons” are defined in state WIA Policy No. 3641

6. 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 WIA Section 134 (d) 4 e ; and CFR 663.600

7. Supersedes:

WIA Policy 3640, Revision 1 Effective Date: November, 2001

8. Website:

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

9. Action:

Local areas are instructed to implement this policy no later than July 1, 2011.

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Approved:

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