

Northwest Workforce Council

POLICY AND PROCEDURE DIRECTIVE

EFFECTIVE DATE: July 1, 2015

SUBJECT: Eligibility Verification and Priority Selection for
Title I-B Adults

REFERENCE #: WIOA 01-02 (Rev 5 October 23, 2018)

Introduction

The Workforce Innovation and Opportunity Act passed by Congress in 2014 establishes a local one-stop system for those seeking assistance in obtaining or preparing for employment. Services provided through the one-stop system include career and training services.

Eligibility Determination is the process of application completion and information collection that verifies the determination of eligibility. Priority selection is the determination of which applicants will receive priority for enrollment.

This policy establishes Northwest Workforce Council (NWC) eligibility verification and registration standards for adult eligibility and priority selection for WIOA Title I-B funded Individualized Career and Training Services.

Eligibility Requirements

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

- U.S. citizen or otherwise legally entitled to work in the United States;
- Age 18 or older; and
- Registered for Selective Service (males who are 18 or older and born on or after January 1, 1960, unless an exception is justified).

Being determined eligible for career and training services funded under WIOA Title I-B does not automatically entitle an individual to receive WIOA Title I-B career and training services. Below, on page 2, are the priority requirements for registration and the required criteria for training services.

Adults who receive services beyond self-service or informational activities, that require significant staff involvement with the individual in terms of resources or time (in excess of 12 hours), must be determined eligible, registered, and enrolled in WIOA Title IB.

WIOA registration occurs at the point where there is significant staff involvement. Significant staff involvement occurs at the point where a planned intervention of WIOA services occurs, and an IEP is implemented using WIOA dollars.

Adults who receive services funded under WIOA other than self-service or informational services must be determined eligible and registered. EEO data must be collected on individuals prior to the registration process.

WIOA I-B Adult Priority Selection for Services.

Priority selection is established for and targets certain populations for services in accordance with WIOA Section 134(c)(3)(E). These targeted populations must first meet the eligibility requirements for the adult program.

The order and rationale for prioritization is based on the requirements in WIOA Section 134(c)(3)(E), proposed 20 CFR 680.600, proposed 20 CFR 680.640, and TEGL 10-09.

The Council has adopted the following priorities for adult program services, in the following order, to:

1. Veterans and eligible spouses who are low income, recipients of public assistance, or basic skills deficient; (See definitions for veterans, low income and basic skills deficient on Attachment A to this policy).
2. Individuals other than veterans or eligible spouses who are low-income, recipients of public assistance, or basic skills deficient.
3. Veterans and eligible spouses who are not low-income or recipients of public assistance,
4. Any other unemployed or underemployed individuals in need of career or training services to obtain or retain employment that leads to family self-sufficiency. (See definition of self-sufficiency in Attachment A, item 4 of this policy).

According to proposed 20 CFR 680.120, 680.130, and 680.210, other eligible individuals who are not low income, recipients of public assistance, or basic skills deficient, may be served after first serving eligible individuals who meet the established priority selection criteria.

Criteria for Training Services

Training Services are available to individuals who meet the criteria above and who are in need of additional services beyond career services to obtain or retain employment. Following an interview, evaluation or assessment and career planning, individuals must meet additional criteria for training services to obtain or retain employment that leads to self-sufficiency as defined above.

Adult participants who have post Baccalaureate (Masters, Doctoral, etc.) degrees are not eligible for classroom-based Occupational Training and may not be awarded an Individual Training Account (ITA). Adult participants who have a Bachelor's degree (undergraduate degree) from a four-year institution will be reviewed on a case-by-case basis for their appropriateness to enter into classroom occupational skills training.

Training services availability is based on the ability of workforce system resources to address the individual needs of the interested job seeker. Enrollment decisions in the process of selecting individuals for career and training services will be based on the coordination of resources available with the Northwest workforce system partners.

Requirements for training include:

1. There is no suitable employment available.
2. The participant will benefit from appropriate training: The training program will provide the necessary skills to obtain employment in a high demand occupation. Priority for training services will be given to those individuals seeking training in the Region's Key Industry Sectors (Health, Manufacturing and Construction).

3. There is a reasonable expectation of employment following the completion of training: The training must be for a demand occupation in the labor market where the participant resides or is planning to relocate within Washington State.
4. Training is reasonably available to the participant from either public or private sources: The training site must be within the commuting area of the participant. Training at institutions outside of the commuting area may be approved if similar training programs are not offered within the local commuting area.
5. The applicant is qualified to undertake and complete the training program. The following factors will be considered:
 - physical and mental capabilities
 - educational background
 - previous work experience
 - financial resources for duration of training program (for example, Unemployment Insurance, Worker Retraining, Pell Grant, State Needs Grant, Workforce Innovation and Opportunity Act, and Training Benefits)
 - Personal or family financial resources available in the event that the above mentioned assistance exhausts prior to completion of the training program
6. The applicant is unable to obtain grant assistance from other sources to pay the full cost of training.
7. Training is suitable (suitability in this case means the participant satisfies all criteria from #5) for the worker and is available at a reasonable cost: the service provider shall not approve training when the cost of the training is unreasonably high in comparison with the average cost of training in a similar occupation at other providers. The service provider shall not approve training:
 - In an occupational area that requires an extraordinarily high skill level relative to the participant's current skill level.
 - When the cost of training is substantially higher than the costs of other training that is suitable for the participant.
8. Classroom training meets the applicable additional requirements of NWC's Individual Training Account Policy, WIOA 01-10.

Eligibility and Priority of Services Process and Assurances

NWC policy ensures that adequate and correct determinations of adult eligibility and priority selection are made within WIOA law and regulations as well as State and NWC policies.

Each file must include a completed MIS registration for each applicant and documents that confirm eligibility for program or priority of services. All questions on the MIS Registration must be answered, and both the applicant and the intake coordinator must sign the completed registration form. The participant must be advised that all information is subject to verification, and that false registration is grounds for immediate termination, and prosecution under the law. Examples of acceptable documentation are included in "Acceptable Documentation for Determining Adult Eligibility and Priority Selection", Attachment A.

The first requirement for verifying eligibility is for the applicant to provide the NWC the required Documentary evidence identified in attached Acceptable Documentation for Determining Adult Eligibility and Priority Selection, (Attachments A and B).

The NWC may accept for WIOA eligibility determinations collateral contacts or documented statements from individuals who are not part of the applicant's immediate family or self-attestation if the method is designated in Attachment A.

For priority of services categories, such as low income employed, any one of the three methods may be used (documentary evidence, collateral contacts, or self-attestation). If collateral contacts or self-attestation is used, the reason why the individual is using this method must be documented in case notes.

All eligibility issues that arise as a result of file reviews or additional information received after completing the MIS registration must be referred to the NWC's Deputy Director or designee for investigation and resolution.

All documents supporting eligibility must be included in the applicant's file and available for review by the administrative entity.

Use of Self-Attestation

The NWC is committed to conducting quality eligibility determinations. Whenever possible after a reasonable effort, the NWC's preferred method for verifying eligibility is to secure copies of original or verifying documents that establish the individual meets required eligibility criteria.

The NWC recognizes that under certain circumstances, original or verifying documents may not be available or cannot be accessed within a reasonable time period. The NWC has identified in Attachment A (Acceptable Documents for Eligibility Determination) of this eligibility determination policy those circumstances where self-attestation may be used locally to verify eligibility. In instances where self-attestation is used for eligibility determination, staff should document the reason for using self-attestation in case notes.

Federal and State laws and regulations specify specific criteria that must be verified through identified verifying documentation. These include age, selective service registration, and basic skills deficiency, and, for intensive career services and training, low income.

Attachment A - Acceptable Documentation for
Determining Adult Eligibility for WIOA

Eligibility Criteria	Conditions	Commonly Used Documentation
a. Age	18 years of age or older	<ul style="list-style-type: none"> ▪ Birth Certificate or hospital record of birth ▪ Driver's License or DMV Identification ▪ Baptismal Certificate ▪ DD Form 214 (Report of Transfer or Discharge) ▪ Alien Registration Card ▪ Food Stamp Records or Medical Coupons ▪ School enrollment documents ▪ Naturalization Certificate ▪ Public Assistance Records ▪ US Passport ▪ Native American Tribal Document(s)
b. Citizenship or eligible non-citizen	Legally entitled to employment within the U.S. and territories.	<ul style="list-style-type: none"> ▪ Social Security Card ▪ Birth certificate <p>Any form of documentation as defined by Immigration and Naturalization Service (INS) for work eligibility. See Attachment B.</p>
c. Selective Service Registration	<p>Almost all male U.S. citizens, and male aliens living in the U.S., who are 18 through 25, are required to register with Selective Service.</p> <p>When a participant has his 18th birthday while enrolled in WIOA, registration for selective service must occur within 30 days of their 18th birthday. All males may register up to 120 days prior to their 18th birthday. (NWC Policy 01-12)</p>	<ul style="list-style-type: none"> ▪ Selective Service Registration Card ▪ Receipt of registration ▪ On-line confirmation or Telephonic verification with Selective Service ▪ DD Form 214 (Report of Transfer or Discharge) ▪ May be waived in accordance with NWC Policy No. 01-12.

Criteria for Priority Selection	Definitions	Commonly Used Documentation
<p>1. Covered persons (veterans and eligible spouses) who are low income, recipients of public assistance, or basic skills deficient.</p> <p>2. Individuals (non-covered persons) who are low-income, recipients of public assistance, or basic skills deficient.</p> <p>3. Covered persons (veterans and eligible spouses) who are not low-income, not recipients of public assistance and not basic skills deficient</p>	<p><i>Basic skills deficient</i></p> <p><i>Low-Income (WIOA Sec. 101(25)) Individual includes:</i></p> <ul style="list-style-type: none"> • Public assistance • Income below the Poverty Line http://www.doleta.gov/llsil/ or 70% of Lower Living Standard Income Level • Food Stamp recipient • Homeless • Foster Child • Person of disability with personal income below poverty/70% <p><i>Low income applicant meets NWC requirements for includable/excludable income. See Attachment C and commonly used documentation column.</i></p> <p><i>A veteran who is an individual who served in the active military and who was discharged or released from such service under conditions other than dishonorable (WIOA definition); or</i></p> <p><i>A recently separated veteran is any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service (WIOA definition); or</i></p> <p><i>The spouse of:</i></p> <ul style="list-style-type: none"> • A veteran who died of a service connected disability; • a member on active duty who (at time of spouse's application) is listed as missing in action, captured in the line of duty, or forcibly detained; or 	<p><u>Basic skills deficient</u></p> <ul style="list-style-type: none"> • CASAS Appraisal score below 236 • Copy of CASAS test score taken within past 6 months <p><u>Low income</u></p> <ul style="list-style-type: none"> ▪ Pay Stubs ▪ Certificate of State Registered Domestic Partnership (RCW 26,60 and State Policy 1019 and Attachment A, Eligibility Guidelines and Documentation Requirements and Handbook) ▪ Employer Records ▪ Public Assistance Award Letters ▪ Child Support Records ▪ Bank Statements for interest income and Social Security. ▪ Collateral written and telephone contacts with DSHS, ES and previous employers of family members. ▪ For net business receipts: copy of books, or a statement from the accountant for the business; family or business financial records. • Federal Income Tax Return • Award letters from Social Security or a pension plan. • Case notes ▪ Self-attestation may be allowed to determine low income status for Homeless individuals with an accompanying case note. Self-Attesters must be informed that knowingly providing false information will be grounds for immediate exit. <p><u>Veterans and eligible spouses</u></p> <p><i>DD-214 for Veteran or Eligible Spouse of Veteran</i></p> <p><i>DD-214 has been requested and will be received within 60 days</i></p> <p><i>Veterans' Administration Letter or Records</i></p> <p><i>Any other documentation of veteran status from an official source, such as</i></p>

<p>4. Any other unemployed or underemployed individuals in need of individualized career or training services to obtain or retain employment that leads to self-sufficiency.</p>	<ul style="list-style-type: none"> • A veteran with a total disability from a service connected disability or one who died while being evaluated for it. <p>An unemployed person is an individual who is without a job, and both wants and is available for work. Individual has had no employment during the last seven days.</p> <p>An employed person must be in need of services to obtain or retain self-sufficient employment.</p> <p>Self-sufficiency is defined as the applicant's projected monthly includable family income exceeding the Low-Income (80% of median family income) limits based on Department of Housing and Urban Development (HUD) Low Income Level median family income guideline for the Bellingham, WA Metropolitan Statistical Area (MSA) for the Northwest Workforce Area:</p> <p>http://www.huduser.gov/portal/datasets/il.html</p> <p>Click on the current year income limits documentation and then follow links to the Bellingham, WA Metropolitan Statistical Area.</p>	<p>from any branch of the armed forces, veterans' agency or DOL veterans' rep.</p> <p>UI documents Public Assistance Records Collateral written and telephone contacts from DSHS, ES, and employers. Self-attestation Case Notes Income Documents referenced above.</p>
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Attachment B – Lists of Acceptable Documents
for Employment Eligibility Verification

Employment Eligibility Verification

LISTS OF ACCEPTABLE DOCUMENTS

Department of Homeland Security - U.S. Citizenship and Immigration Services

LIST A

Documents that establish both identity and employment eligibility

LIST B

Documents that establish identity

LIST C

Documents that establish employment eligibility

<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. U.S. Social Security Account Number card issued by the Social Security Administration (<i>other than a card stating it is not valid for employment or only with INS or DHS authorization</i>)</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 (<i>Form FS-545 or Form DS-1350</i>)</p>
<p>3. An unexpired foreign passport with 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. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal</p>
<p>4. An unexpired Employment Authorization Document that contains a photograph (Form I-766,)</p>	<p>4. Voter's registration card</p>	<p>4. Native American tribal document</p>
<p>5. For nonimmigrant alien authorized to work for specific employer: An unexpired foreign passport with an unexpired Arrival-Departure Record, Form I-94, bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as it has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form.</p>	<p>5. U.S. Military card or draft record</p>	<p>5. U.S. Citizen ID Card (<i>Form I-197</i>)</p>
	<p>6. Military dependent's ID card</p>	<p>6. ID Card for use of Resident Citizen in the United States (<i>Form I-179</i>)</p>
	<p>7. U.S. Coast Guard Merchant Mariner Card</p>	
	<p>8. Native American tribal document</p>	<p>7. Unexpired employment authorization document issued by DHS (<i>other than those listed under List A</i>)</p>
	<p>9. Driver's license issued by a Canadian government authority</p>	

Attachment B – Lists of Acceptable Documents
for Employment Eligibility Verification

LIST A

Documents that establish both identity and employment eligibility

LIST B

Documents that establish identity

LIST C

Documents that establish employment eligibility

<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 U.S. and the FSM or RMI.</p>	<p>For persons under age 18 who are unable to present a document listed above:</p> <p>10. School record or report card 11. Clinic, doctor or hospital record 12. Day-care or nursery school record</p>	<p>8. Employment authorization document issued by the Department of Homeland Security</p>
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Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Northwest Workforce Council Determination of Includable and Excludable Income

The Northwest Workforce Council is responsible for determining what income is included or excluded when determining if an applicant meets the Workforce Innovation and Opportunity Act (WIOA) definition of low-income. Low income eligibility is based on family size. Family size under WIOA means two or more individuals 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 married couple, and dependent children
- A parent or guardian and dependent children; or
- A married couple.

The Washington State Marriage Equality Act and the State WIOA Policy 1019, Eligibility Guidelines and Documentation Requirements have expanded the definition of a married couple beyond that of a male and female couple.

Applicants, including a disabled individual, may be determined a family of one if certain conditions are met. (Refer to NWC Youth Eligibility Policy 01-15 Revised May 1, 2014, and Adult Eligibility Policy 01-21 Revised May 1, 2014.)

Defining Dependent

For the purpose of defining family size for WIOA Title I Young Adults (Youth) Program eligibility and WIOA Title I Adult, the State has identified three instances, at a minimum, in which a given Young Adult must be considered a dependent. These instances are:

1	Youth not yet 18, who are not emancipated youth nor runaway youth, living “at home” with their parents or legal guardians, including individuals in the temporary care of another individual or household (but not claimed as a dependent by that household)
2	Youth age 18-19 who are full-time students in a secondary school or equivalent and are living “at home” with their parents or legal guardians.
3	Youth age 18-24 who are not full-time students and are living “at home” with their parents or legal guardians and who are primarily supported by their parents.

In addition to the above three definitions of a dependent, Young Adults age 18-24 who **do not live at home** and are primarily supported by their parents are considered a dependent. The determination of “primarily supported by parents” means the parents provide 50% or more of the individual’s living expenses.

Individuals who do live at home will be considered independent when the individual:

1. Is living independently in the household. “Living independently” means that the parents charge the individual rent and provide only incidental expenses and infrequent meals;
2. Receives SNAP benefits or other welfare payments as an individual;
3. Is living with their own dependent child;
4. Has income from the past six months that was equal to or greater than 30% of the federal poverty level.

Attachment C – NWC Determination
of Includable and Excludable Income Continued

Includable Family Income for the local workforce area includes:

- Money wages and salary before any deductions.
- Net Receipts from nonfarm self-employment (receipts from a person's own unincorporated business, professional enterprise, or partnership after deductions for business expenses.)
- Net Receipts from farm self-employment (receipts from a farm which one operates as owner, renter, or sharecropper after deductions for farm operating expenses).
- Railroad retirement, strike benefits from union funds, workers' compensation, and training stipends.
- Alimony.
- Military family allotments or other regular support from an absent family member or someone not living in the household.
- Pensions, whether private, government employee (including military retirement pay).
- Regular insurance or annuity payments.
- College or university grants, fellowships, and assistantships (see exclusion for needs-based scholarship assistance).
- Dividends, interests, net rental income, net royalties, periodic receipts from estates or trusts.
- Net gambling or lottery winnings.
- Social security disability income.
- Unemployment Compensation.
- Child support payments, including foster care child payments.
- Regular payments from social security (old-age and survivor's insurance).

Excludable Family Income in the local workforce area excludes:

- Welfare payments (AFDC/TANF, SSI, RCA, GA).
- Financial assistance under Title IV of the Higher Education Act, i.e., Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study. Stafford and Perkins loans like any other kind of loan are debt and not income.
- Financial assistance awarded under the Military Spouse Career Advancement Accounts program.
- Needs-based scholarship assistance.
- Income earned while the Veteran was on active military duty and certain other veterans' benefits, i.e., compensation for service-connected disability, compensation for service-connected death, vocational rehabilitation, and educational assistance.
- Capital gains.
- Any assets drawn down as withdrawals from a bank, the sale of property, a house or a car.
- Tax refunds, gifts, loans, lump sum inheritances, one time insurance payments or other compensation for injury.
- Non-cash benefits such as employer paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, food stamps, school meals, and housing assistance.
- Allowances, earnings, and payments to individuals participating in programs (e.g. OJT) under WIOA

