



Workforce Services Guidance– Title I Adult and Dislocated Worker Eligibility

Effective Date: February 1, 2020

Duration: February 1, 2022

Purpose:

This guidance provides the Local Workforce Development Boards with the eligibility requirements and documentation required for the Title I- Adult and Dislocated Worker programs.

Scope:

Office of the Governor, Tennessee Department of Labor and Workforce Development (TDLWD); Division of Workforce Services (WFS); Tennessee Department of Economic and Community Development (ECD); Tennessee Department of Education (TNED); Tennessee Department of Human Services (DHS); State Workforce Development Board (SWDB); Title I – Adult, Dislocated Worker, and Youth Programs, Title II – Adult Education and Family Literacy Act Program(AE); Title III – Wagner-Peyser Act Program (WP); Title IV – Vocational Rehabilitation Program (VR); Regional Planning Council (RPC); Local Workforce Development Boards (LWDB); Local Workforce Development Areas (LWDA); American Job Center (AJC); One-Stop Operator (OSO); Workforce System Sub-Recipients (Sub-Recipients); Workforce System Partners (Partners)

I. Title I Adult Eligibility Requirements

Individuals must meet the following requirements in order to be eligible for the Title I- Adult program:

- Individuals age 18 or older¹;
- Citizens or nationals of the United States, or other lawfully admitted persons².
- In compliance with the Military Service Act (for males born on January 1, 1960, and later)³

For Title I-Adult, the LWDBs must follow the State of TN Priority of Service policy along with the above requirements when enrolling Title I- Adults.

II. Title I Dislocated Worker Eligibility Requirements

Individuals must meet the above requirements for Title I- Adult as well as fall under one of the 5 below categories for Dislocated Workers:

Category 1

- Has been terminated or laid off, has received a notice of termination or layoff, or is eligible for or has exhausted unemployment compensation.

¹ WIOA Section 3(2)

² WIOA Section 188 (A)(5)

³ WIOA Section 189(h)

- Has been employed for a duration sufficient to demonstrate attachment to the workforce to the appropriate entity⁴, but is not eligible for unemployment compensation.
- Is unlikely to return to a previous industry or occupation.

Individuals laid-off or terminated because of the cyclical, intermittent, or seasonal nature of their employment may be eligible for individualized career services and training services as Category 1 Dislocated Workers. Such services can only be made available to individuals who are currently unemployed and have indicated that they are seeking full-time, non-temporary or seasonal work. This does not apply to workers who are on a temporary layoff with a specific return to work date.

Category 2

- Has been terminated or laid off, or has received a notice of termination.
- Layoff, from employment due to a permanent closure of, or layoff at, a plant, facility, or enterprise.
- Employed at a facility where the employer has announced that the facility will close within 180 days.

Category 3

Self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides, such as:

- Failure of one or more businesses to which the self-employed individual supplied or obtained a substantial proportion of products or services;
- Substantial layoffs, or permanent closures, of one or more plants or facilities that support a significant portion of the State or local economy;
- Depressed prices or markets for the articles produced by the self-employed Individual.

The determination that a person has become unemployed due to these conditions must be recorded in VOS. Any documentation provided to verify this criterion must be kept in the customer folder and cited in VOS case notes.

Category 4

Displaced Homemaker: An individual who has been providing unpaid services to family members in the home and who:

- Has been dependent on the income of another family member but is no longer supported by that income;
- Is the dependent spouse of a member of the Armed Forces on active duty⁵ and whose family income is significantly reduced because of a deployment

⁴ WIOA Section 121(e)

⁵ USC Section 101(d)(1) of the title 10, United States Code

- call or order to active duty⁶, a permanent change of station, or the service-connected death or disability of the member⁷;
- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

Category 5

- Is the spouse of a member of the Armed Forces on active duty⁸ and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in the duty station of such member
- Is the spouse of a member of the Armed Forces on active duty and who meets the criteria.⁹

III. Required Documentation for Verifying Eligibility

In Attachment A is a list of Eligibility Criteria and the 'Documentation Requirement' for each criteria.

References:

WIOA Section 101(1); WIOA Section 188 (A)(5); WIOA Section 189(h); WIOA Section 121(e); USC Section 101(d)(1) of the title 10, United States Code; USC Section 101(a)(13)(B) of the title 10, United States Code; Section 101(16) of the title 38, United States Code; WIOA Section 3(16)(ii)

Contact:

For any questions related to this guidance, please contact the Program Integrity Unit at Workforce.Board@tn.gov



Kenyatta Lovett, Workforce Services Assistant Commissioner

⁶ USC Section 101(a)(13)(B) of the title 10, United States Code

⁷ Section 101(16) of the title 38, United States Code

⁸ Section 101(d)(1) of the title 10, United States Code

⁹ WIOA Section 3(16)(ii)

Attachment A: Title I Adult & Dislocated Worker Eligibility Documentation Requirements

Table 1: General Eligibility Requirements			
Criteria	Eligibility Requirement for:		Documentation Requirement
	Adult	DW	
U.S. Work Authorization (Citizenship Status)	✓	✓	Verification documents as listed on the USCIS Form I-9: <ul style="list-style-type: none"> • Any one from List A; or • One From List B and one from List C combined
Birth Date/Age	✓	✓	<ul style="list-style-type: none"> • Driver's license • Baptismal record • Birth certificate • DD-214 • Report of Transfer or Discharge paper • Federal, state or local ID card • Passport • Hospital record of birth • Public assistance/social service records • School records or ID cards • Work permit • Crossmatch with Department of Vital Statistics • Tribal records
Social Security Number	✓	✓	<ul style="list-style-type: none"> • DD-214, Certificate of Release or Discharge from Active Military Duty • Driver's License (if applicable) • Employment Records • IRS Form Letter 1722 • Letter from the Social Services Agency • Pay Stub • Social Security Benefits • Social Security Card • W-2 Form
Selective Service Registration	✓	✓	<ul style="list-style-type: none"> • Selective Service acknowledgment letter • Form DD-214 "Report of Separation" • Screen printout of the Selective Service Verification site • Selective Service Registration Card • Selective Service Verification (Form 3A) • Stamped Post Office Receipt of Registration

Table 2: Veteran's Priority	
Eligibility Criteria	Documentation Requirement
<p>A "covered person" under the Jobs for Veterans Act is one of the following:</p> <p>VETERAN: An individual who served in the active military, army, naval or air service that was released under conditions other than dishonorable.</p> <p>THE SPOUSE OF:</p> <ul style="list-style-type: none"> Any veteran who died of a service-connected disability; A member serving on active military duty who is listed as missing in action, captured in the line of duty by a hostile force, or forcibly detained or interned in the line of duty by a foreign government or power; Any veteran with a total service-connected disability rating or one who died while being evaluated for it. (Pub.L.107-288 Sec. 4215) 	<p>Veteran Eligibility:</p> <ul style="list-style-type: none"> DD-214, Certificate of Release/Discharge from Active Duty, Written communication with federal or Department of Veterans' Affairs or other veterans' service agency, or Telephone Verification with a government veterans' service agency
	<p>Proof of marriage to veteran through:</p> <ul style="list-style-type: none"> Military spouses ID Card Marriage Certificate Proof that the veteran fits one of the categories listed through: <ul style="list-style-type: none"> Military records Newspaper article Obituary Notice DD-214 Written communication with federal or Department of Veterans' Affairs or other veterans' service agency, or Telephone Verification with a government veterans' service agency Death Certificate Medical Records

Table 3: Low-Income Eligibility			
Criteria	Eligibility Requirement for:		Documentation Requirement
	Adult	DW	
Low-Income	✓	X	<ul style="list-style-type: none"> Alimony Agreement Applicant statement Award letter from the veteran's administration Bank statements Compensation award letter Court award letter Pension statement Employer statement/contact Family or business financial records Housing authority verification

			<ul style="list-style-type: none"> • Pay stubs • Public assistance records • Quarterly estimated tax for self-employed persons • Social Security benefits • UI documents <p><u>TANF:</u></p> <ul style="list-style-type: none"> • Crossmatch with TANF public assistance records <p><u>Other Public Assistance Recipient:</u></p> <ul style="list-style-type: none"> • Copy of authorization to receive cash public assistance • Copy of public assistance check • Medical card showing cash grant status • Public assistance records • Refugee assistance record • Crossmatch with public assistance database
Family Size/Individual Status	✓	X	<ul style="list-style-type: none"> • Birth Certificate • Decree of Court • Proof of disability (to prove individual status) • Divorce Decree • Landlord Statement/Lease • Marriage Certificate • Medical Card • Most Recent Tax Return supported by IRS Documents • Form Letter 1722 • Public Assistance/Social Service Agency Records • Public Housing Authority • Written Statement from a Publicly-Supported 24-Hour • Care Facility or Institution (e.g. Mental, Prison) • Telephone Verification • Applicant Statement if no other documents are available and is accompanied with a case note.
Individual/Family Income	✓	X	<ul style="list-style-type: none"> • Alimony Agreement • Rental Agreement or Lease (Family Size) • Award Letter from the Veterans Administration • Bank Statements (Direct Deposit or Regular Cash Deposits) • Compensation Award Letter • Court Award Letter • Employer Statement

			<ul style="list-style-type: none"> • Farm or Business Financial Records • Housing Authority Verification (Family Size) • Pay Stubs • Pension Statement • Public Assistance Records • Worker's Compensation Records • Quarterly Estimated tax for Self-Employed Persons (Schedule C) • Social Security Benefits Records • Unemployment Insurance Documents and/or Printout • Telephone Verification • Applicant Statement if no other documents are available and is accompanied with a case note
Individual(s) With Disabilities	✓	X	<ul style="list-style-type: none"> • Letter from Drug or Alcohol Rehabilitation Agency • Letter from Child Study Team Stating Specific Disability • Medical Records/ Physician's Statement • Psychiatrist's or Psychologist's Diagnosis • School Official Records or Statement • Sheltered Workshop Certification • Social Service Records/Referral • Social Security Administration Disability Records • Veterans Administration Letter/Records • Vocational Rehabilitation Letter/Statement • Workers Compensation Record • Telephone Verification • Observable Condition as Documented in a Jobs4TN Case Note by Staff • Applicant Statement if no other documents are available and is accompanied with a case note.

Table 4: Dislocated Worker

Criteria	Eligibility Requirement for:	Documentation Requirement
	Dislocated Worker	
Dislocated Worker Program	Category 1	<p>Proof of termination or lay-off:</p> <ul style="list-style-type: none"> • Employer or union representative verification: letter, phone or electronic verification of layoff; or • Individual's name on a WARN notice; or • Media article/general announcement that includes source and date; or • Trade Act eligibility documents that confirm layoff; or • Detailed telephone verification; or • Detailed registrant statement. <p>AND</p> <p>Is eligible for or has exhausted Unemployment Insurance (UI) (current receipt or exhausted):</p> <ul style="list-style-type: none"> • UI Award Letter; or • Statement from UI Representative <p>OR</p> <p>Proof of attachment to the workforce, but ineligible for unemployment compensation due to insufficient earnings or services not covered by UI law:</p> <ul style="list-style-type: none"> • Pay stubs; or • Employer verification: letter, phone or electronic verification that employer is not subject to UI law; or • W-2 and or tax returns. <p>AND</p> <ul style="list-style-type: none"> • Unlikely to return to previous industry or occupation
	Category 2	<p>Proof of Employment:</p> <ul style="list-style-type: none"> • Paystub; or • UI document that confirms plant closure or substantial layoff; or • Individual's name on state-approved WARN notice; or • Employer or union representative verification: letter, phone or electronic verification. <p>AND</p> <p>Proof of closure or substantial layoff:</p> <ul style="list-style-type: none"> • WARN notice; or • Labor Market Analyst Statement; or

		<ul style="list-style-type: none"> • Media article/general announcement that includes source and date; or • Employer or union representative verification: letter, phone or electronic verification; or • UI document that confirms plant closure or substantial layoff. <p>OR</p> <ul style="list-style-type: none"> • Paystub; or • UI document that confirms plant closure or substantial layoff; or • Individual's name on state-approved WARN notice; or • Employer or union representative verification: letter, phone or electronic verification. <p>AND</p> <p>Proof of closure:</p> <ul style="list-style-type: none"> • Employer or union representative verification: letter, phone or electronic verification; or • Media article/general announcement that includes source and date
	<p style="text-align: center;">Category 3</p>	<p>Evidence of Self-Employment:</p> <ul style="list-style-type: none"> • Business license or permits; or • IRS forms and tax documents; or • Monthly Profit and Loss Statements. <p>AND</p> <p>Evidence of business closure:</p> <ul style="list-style-type: none"> • Chapter 7 or Chapter 11 bankruptcy published in the newspaper, with the date shown; or • Evidence of business failure of supplier or customer; or • Insurance claims or other proof of income loss; or • Disaster insurance claim; or • Federal or state declaration of disaster; or • Statement from an Accountant, Bookkeeper or Tax Preparer; or • Articles of Dissolution.
	<p style="text-align: center;">Category 4</p>	<ul style="list-style-type: none"> • Court records; or • Divorce documents; or • Bank records; or • Public assistance records; or • Warn Notice; or • Death Certificate; or • Self-attestation; or • Registrant statement; or • Permanent Change of Station Documentation; or

		<ul style="list-style-type: none">• DD-214 indicating type of discharge; or• Employer verification: letter, phone or electronic verification
	Category 5	Proof of permanent Change of Station Documentation; AND Unlikely to return to previous industry or occupation