

Oklahoma Employment Security Commission

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Mary Lowe, Commissioner
DeWayne Goodman, Commissioner

Oklahoma Employment and Training Issuance #26-2000

TO: WIA Board Staff

FROM: Eddie Foreman, Director

DATE: May 17, 2000

SUBJECT: Oklahoma's Interim Final Policy on WIA Eligibility for Adult Programs

MESSAGE: To transmit policy regarding eligibility effective July 1, 2000. Comments must be submitted by June 16, 2000. Please send comments to me electronically using my e-mail address.

ELIGIBILITY FOR ADULT PROGRAMS

I. PURPOSE

To Determine Eligibility for Adult Programs under the Workforce Investment Act

II REGISTRATION

In order to receive services under the adult programs an adult must first go through the registration process at a one-stop center. The one-stop delivery system provides screening for eligibility as well as other services under the provisions of the Workforce Investment Act rules and regulations. The screening may be done by personal interview, application or electronic data transfer.

1. In order to receive services funded under Title I (other than self-service or informational activities) adults must be registered with and determined eligible.
2. During registration EEO data must be obtained on individuals during the registration process.

III. CONCURRENT ENROLLMENT

Under WIA adults are defined as individuals age 18 years or older and eligible youth are 14 through 21 years of age, thus individuals ages 18 to 21 years may be eligible for both the adult and youth programs.

1. Eligible individuals who are 18 through 21 years may participate in the adult and youth programs concurrently if meeting the criteria applicable to the services received.
2. The local program operators must track and identify the funding streams which pay the costs of services provided to those individuals participating in the youth and adult programs concurrently to avoid duplication of services.

IV. LOW-INCOME INDIVIDUALS

Low-income individuals are defined as those meeting the following criteria:

1. receives, or is a member of a family receiving cash payments under a Federal, State, or Local income-based public assistance program
2. 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 (excluding of unemployment compensation, child support payments or payments described in paragraph (1), and old age and survivors insurance benefits received under section 202 of the Social Security Act 42 U.S.C.402) that , in relation to family size does not exceed the higher of
 - a. the poverty line, for an equivalent period or
 - b. 70 percent of the lower living standard income level, for an equivalent period
3. is a member of a household who receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 ET.SEQ.)
4. qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C.402)
5. is a foster child on behalf of whom State or local government payments are made or
6. 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 subparagraph (1.) or of subparagraph (2.), but who is a member of a family whose income does not meet such requirements.

Priority for intensive and training services funded with Title I adult funds must be given to recipients of public assistance and other low income individuals in the local areas.

1. Since funding is limited, local areas must establish criteria by which local areas can determine the availability of funds and the process by which priority will be applied under WIA Sec. 134(d)(E). The criteria may include availability of other

- funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area and other appropriate factors.
2. Local areas must give priority to adult intensive and training services to recipients of public assistance and other low-income individuals, unless the local area has determined funds are not limited under the criteria established in paragraph (1) of this section.
 3. The process to determine whether to apply the priority established under paragraph (1) does not necessarily mean that only the recipients of public assistance and other low income individuals may receive WIA adult funded intensive and training services when funds are determined to be limited in a local area. The local board may establish a process giving priority for services to the recipients of public assistance and other low income individuals and that also serves other eligible individuals.

V. DISLOCATED WORKERS

In order to be deemed eligible for services as a Dislocated Worker an individual must meet the following criteria:

1. has been terminated or laid off, or who has received a notice of termination or layoff from employment
 - a. is eligible for or has exhausted entitlement to unemployment compensation; or
 - b. has been employed for a duration sufficient to demonstrate , to the appropriate entity at a one-stop center referred to in section 134©, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and
 - c. is unlikely to return to a previous industry or occupation
2. has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
 - a. is employed at a facility which the employer has made a general announcement that such facility will close within 180 days; or
 - b. for purposes of eligibility to receive services other than training services described in section 134(d)(40), intensive services described in section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
3. was self-employed (including employment as a farmer, rancher, or fisherman)

but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters

VI. DISPLACED HOMEMAKER

Displaced Homemaker is an individual who has been providing unpaid services to family members in the home and meets the following criteria:

1. Has been dependent on the income of another family member but is no longer supported by that income ; and
2. Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

VII. ENFORCEMENT OF MILITARY SELECTIVE SERVICE ACT

Local programs shall ensure that each individual participating in any program or activity established under Title I of Workforce Investment Act, or receiving any assistance or benefit under such title, has not violated Section 3 of the Military Selective Service Act (50 U.S.C. App. 453) by not presenting and submitting to registration as required pursuant to such section.

ACTION: Please distribute this issuance to appropriate staff and include it as part of your permanent records.

INQUIRIES: Questions and comment may be directed to your Planning coordinator or Mike Clark at 405/557-5339.

MF/jyg