

**Attachment #1 - WIA ADULT ELIGIBILITY CRITERIA, GLOSSARY, AND DOCUMENTATION**

Revised October 2008

Following is the eligibility criteria for the WIA Adult Program and a Glossary of relevant terms. Documentation verifying the eligibility of participants in WIA is mandatory. Eligibility determination shall be made prior to enrollment in WIA and receipt of any Intensive, Training or Supportive services, and shall include an initial determination of need for services to insure that the region is providing employment and training opportunities to those who may benefit from and who are most in need of such opportunities. This is required because WIA is not an entitlement program.

Veterans and eligible spouses covered by Public Law 107-288, who otherwise meet the eligibility requirements for enrollment, are to be given priority over non-veterans for the receipt of employment, training, and placement services provided under the WIA program. Additionally, citizenship or legal immigration status must be determined prior to provision of program services to individuals 18 years of age or older per Colorado HB1023.

If a region has invoked a **local priority of service policy** for the WIA Adult Program, Veterans priority of service for enrollment should be implemented in the following order:

1. Veterans, and other non-veterans eligible for Veteran's Preference, who are eligible for the program and meet Adult priority of service requirements
2. Non-veterans who are eligible for the program and meet Adult priority of service requirements
3. Veterans, and other non-veterans eligible for Veteran's Preference, who are eligible for the program, but do NOT meet Adult priority of service requirements
4. Non-veterans who are eligible for the program, but do NOT meet Adult priority of service requirements

**ELIGIBILITY CRITERIA**

Each of the following eligibility elements must be documented for each applicant. Please refer to the comprehensive checklist of allowable forms of eligibility documentation contained in this attachment. Other forms of documentation not listed must be reviewed by a State Workforce Liaison on a case-by-case basis. Photocopies of documentation kept on file, or scanned documents stored in electronic document management systems, must be legible.

**1. Citizenship/Eligible to Work** – Participation shall be open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States. Applicants shall also prove legal US citizenship in accordance with the Colorado Revised Statutes 24-76.5. They shall possess **one** of the acceptable forms of identification (ID), and Complete the Affidavit of Immigration Status form for all participants 18 years and older. If the participant does not possess one of the forms of ID listed and does not provide the requested information, application to the program must be denied. (**Exception:** Per TEGL 19-01, change 1, operators may not deny WIA-funded services to victims of severe forms of human trafficking based on their immigration status.)

**Note:** If a Social Security number is being used to document citizenship, or if the participant is being entered into a paid work experience activity, the original card

needs to be presented along with a picture ID. Both documents should be copied so that signatures and Social Security numbers are legible. (Additional types of documentation that can be used to demonstrate citizenship are listed in this attachment). If the Social Security number is simply being used as the unique identifier in JobLink, the number does not need to be verified. If the client prefers not to provide a Social Security number, a pseudo number can be created for use in JobLink. Per TEGL 5-08, local grantees should request a Social Security number from all applicants to aid in performance reporting, but services cannot be denied to anyone for refusing to furnish a Social Security number when their citizenship/alien status can be documented via other means.

**2. Selective Service/Military Status** – All participants shall be in compliance with the Selective Service Act requirements. All males who are at least 18 years old and born after December 31, 1959 and who are not in the armed services on active duty shall be registered.

3. **Age** at enrollment must be 18 or older.

### **GLOSSARY**

Local program staff making eligibility determinations for the Adult program should make use of the following definitions:

**APPLICANT (AN INDIVIDUAL)** – An individual who applies to a WIA Grant recipient or sub-recipient for employment, training and/or services provided under WIA.

**CITIZENSHIP** – Designation of an applicant as a citizen of the United States or a lawfully admitted permanent resident alien, lawfully admitted refugee or parolee, and other individuals authorized by the Attorney General to work in the United States. If the applicant indicates that he/she is not a citizen or an “eligible non-citizen,” the applicant is ineligible for WIA. (Form 12A – Immigration Affidavit shall be included in every application for applicants 18 years or older effective 8/1/2006).

**PARTICIPANT** – An individual who has been determined to be eligible to participate in and who is receiving services (except follow-up services) under a program authorized by this Act. Participation shall be deemed to commence on the day following eligibility determination, on which the participant began receiving subsidized employment, training, or other services provided under this Act in either a physical location (One Stop Center or affiliate site) or remotely through electronic technologies. Customers receiving only self-service or informational activities are not considered to be participants in the WIA programs.

**SELECTIVE SERVICE** – Only those males who are subject to, and have complied with, the registration requirements of Military Selective Service Act (MSSA) are eligible for participation in WIA funded programs and services. Every male citizen and every other male residing in the United States shall register with the Selective Service System (SSS) between their 18<sup>th</sup> and 26<sup>th</sup> birth dates. The Director of the SSS and the Secretary of Labor are required to cooperate in carrying out these provisions. In 1986 the MSSA was amended to require the registration status to be examined and confirmed as follows:

A person may not be denied a right, privilege or benefit under Federal law by reason of failure to present himself for and submit to registration under section 3 [50 U.S.C/ App. 453] if:

- The requirement for the person to so register has terminated or become inapplicable to the person; **AND**
- the person shows by a preponderance of the evidence that the failure of the person to register was **not** a knowing and willful failure to register.

The following is the documentation required for persons eligible to register but who neglected to register and are now over 26 years old:

- **Incarcerated, hospitalized, or institutionalized** – A copy of a statement from the Department of Corrections, or other institution, indicating the duration of the stay can be used to demonstrate that the individual was not available to register with Selective Service during his period of Selective Service eligibility.
- **Veteran** – A copy of a DD214 showing other than a dishonorable discharge can be used in lieu of a Selective Service registration. In addition, the veteran can provide a Selective Service waiver document (obtainable by the Selective Service System).
- **Homeless** – A letter from a homeless shelter or a statement signed by the applicant can be utilized to attest to the applicant’s inability to register for Selective Service while he was still eligible.
- **Non-citizen** – An alien registration card or other immigration document showing the date of entry into the United States, and demonstrating that this date was beyond the date of his 26<sup>th</sup> birthday.

The Conference Report to the amendment clarified “that a non-registrant is not to be denied any Federal benefit if he can demonstrate that his failure to register was not knowing or willful.” This provision was added “in order not to penalize an individual with an obvious disqualifying handicap, such as total paralysis of the limbs, or an individual who has been honorably discharged from the armed services.”

### **DOCUMENTING ELIGIBILITY WITH SELF-ATTESTATION**

Documenting eligibility with self-attestation is a method of last resort when no other source of documentation can be found or accessed. Self-attestation can also be used to clarify documentation that is considered insufficient by itself. However, the basic WIA eligibility data elements of **age and immigration status cannot be self-attested**. Please review the most current or relevant Data Validation PGL to assist in determining when it is appropriate to use self-attestation; or consult with your local MIS coordinator if the data element in question is not addressed by the PGL. An acceptable self-attestation statement should be a signed document that includes information clearly addressing the eligibility criteria you are trying to capture, and should adhere to local self-attestation policy guidelines.

**WIA ELIGIBILITY DOCUMENTATION CHECKLIST – ADULT PROGRAM**

<b>Eligibility</b>	<b>Required Documentation</b>
Citizenship/Alien Status (1 is required)	<ul style="list-style-type: none"> <li>- Social Security Card <u>AND</u> Driver's License or other government issued picture ID containing a photograph or information such as name, date of birth, gender, height, eye color and address. (If under 18 years old and does not have a Driver's License; may use school record or hospital record with signed Social Security Card. Identification cards issued by Department of Corrections shall not be accepted.)</li> <li>- U.S. Passport (unexpired or expired)</li> <li>- Permanent Resident Card or Alien Registration Receipt Card (Form I-551)</li> <li>- An unexpired foreign passport with a temporary I-551 stamp</li> <li>- An unexpired Employment Authorization Document that contains a Photograph (Form I-766, I-688, I-688A, I-688B)</li> <li>- 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, if that status authorizes the alien to work for the employer</li> <li>- Original or certified copy of a Birth Certificate issued by a state, county, municipal authority or outlying possession of the US bearing an official seal</li> <li>- Certification of Birth Abroad issued by the Department of State</li> <li>- DD-214, Report of Transfer or Discharge (If Place of Birth is Shown)</li> <li>- US Citizen ID card (Form I-197)</li> <li>- Native American Tribal Document/CDBI (Certificate of Degree of Indian Blood)</li> </ul>
Selective Service (1 is required for those required to register)	<ul style="list-style-type: none"> <li><input type="checkbox"/> On-line verification at <a href="http://www.sss.gov">www.sss.gov</a></li> <li><input type="checkbox"/> Acknowledgement Letter from Selective Service</li> <li><input type="checkbox"/> Selective Service Verification Form</li> <li><input type="checkbox"/> Selective Service Registration Card</li> <li><input type="checkbox"/> Selective Service Advisory Opinion Letter</li> <li><input type="checkbox"/> Selective Service Registration Record (Form 3A)</li> <li><input type="checkbox"/> Selective Service Waiver Document (for veterans)</li> <li><input type="checkbox"/> Stamped Post Office Receipt of Registration</li> <li><input type="checkbox"/> DD-214</li> <li><input type="checkbox"/> Cross match with Veterans data</li> </ul>
Social Security Number (Not required for eligibility)	<ul style="list-style-type: none"> <li><input type="checkbox"/> DD-214, Report of Transfer or Discharge</li> <li><input type="checkbox"/> IRS Form Letter 1722</li> <li><input type="checkbox"/> Letter from Social Security Agency</li> <li><input type="checkbox"/> Pay Stub with Social Security number</li> <li><input type="checkbox"/> Social Security Benefits</li> <li><input type="checkbox"/> Social Security Card</li> <li><input type="checkbox"/> W-2 Form</li> <li><input type="checkbox"/> Declined; pseudo-SSN created</li> </ul>
Affidavit of Immigration Status (Required in conjunction with one of the listed forms of ID)	<ul style="list-style-type: none"> <li><input type="checkbox"/> Colorado Driver's License</li> <li><input type="checkbox"/> Colorado Identification Card</li> <li><input type="checkbox"/> U.S. Military Card</li> <li><input type="checkbox"/> Military Dependent Identification Card</li> <li><input type="checkbox"/> U.S. Coast Guard Merchant Mariner Card</li> </ul>

	<input type="checkbox"/> Native American Tribal Document <input type="checkbox"/> Other State Driver's License <input type="checkbox"/> Other State Identification Card
<b>AGE</b> (1 is required)	<input type="checkbox"/> Baptismal Record <input type="checkbox"/> Birth Certificate <input type="checkbox"/> Driver's License <input type="checkbox"/> Federal, State, or Local photo ID <input type="checkbox"/> DD-214 <input type="checkbox"/> Passport <input type="checkbox"/> Hospital record of birth <input type="checkbox"/> Public assistance/social service record <input type="checkbox"/> School records or ID card <input type="checkbox"/> Work permit <input type="checkbox"/> Cross match with Dept. of Vital Statistics <input type="checkbox"/> Tribal records
<b>PRIORITY OF SERVICE:</b> Low Income / Other - as defined by local policy	<input type="checkbox"/> Pay stubs <input type="checkbox"/> Employer statement: written or case note <input type="checkbox"/> Alimony agreement <input type="checkbox"/> Award letter from Veteran's Administration <input type="checkbox"/> Bank statements <input type="checkbox"/> Compensation award letter <input type="checkbox"/> Court award letter <input type="checkbox"/> Pension statement <input type="checkbox"/> Family or business financial records <input type="checkbox"/> Housing authority verification <input type="checkbox"/> Social Security benefits statement <input type="checkbox"/> Social services ID card or public assistance records <input type="checkbox"/> UI documents <input type="checkbox"/> Quarterly estimated tax (self-employed persons) <input type="checkbox"/> Other _____