



Category/Subject: Employment and Training Programs
Colorado Policy Guidance Letter#: VET-2014-03 (Prior #14-08-V)
Revise/Replace PGL#: PGL 12-08-V and PGL 06-01-V
Date: October 17, 2014
Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners

Most Recent Additions are Yellow-Highlighted

I. REFERENCE(S):

A. Federal Laws and Regulations:

- Workforce Investment Act (WIA) of 1998 (Public Law 105-220), as amended (29 U.S.C. 2801 et seq.).
- U.S.C. Title 38 Chapters 41 and 42, as amended specifically: 4103A, 4104, 4211-4215
- Public Law 107-288 - Jobs for Veterans Act.

B. U.S. Department of Labor Resources:

- Training and Employment Guidance Letter No. 19-13: Jobs for Veterans’ State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans
- Training and Employment Guidance Letter No. 20-13: Designation of Additional Population of Veterans Eligible for Services from the Disabled Veterans’ Outreach Program Specialist - Veterans Ages 18 to 24 at: <http://wdr.doleta.gov/directives/>
- Veterans’ Program Letter (VPL) No. 08-14, Designation for Additional Populations Eligible for Services from DVOP Specialists – Transitioning Service Members, Wounded Warriors, and Caregivers
- **Veterans’ Program Letter No. 07-14: AJC Participation in Capstone Activities and Other Outreach to Transitioning Service Members**
- Veterans’ Program Letter No. 04-14: Designation for Additional Population of Veterans Eligible for Services from DVOP Specialists – Veterans Ages 18-24
- Veterans’ Program Letter No. 03-14: Jobs for Veterans State Grants (JVSG) Program Reforms and Roles Responsibilities of American Job (AJC) Staff Serving Veterans
- Veterans’ Program Letter No. 01-14 Change 1: Distribution of Additional Fiscal Year 2014 Funds – Jobs for Veteran State Grant Program
- Veterans’ Program Letter No. 01-10: Jobs for Veterans State Grants Recurring Report Requirements
- See all VPLs at: <http://www.dol.gov/vets/VPLS/VPLDirectory.html>

C. Policy Guidance Letters (PGLs):

- PGL MIS-2011-02 (prior #11-12-V), Accuracy & Reliability of VETS 200 Reports Agent IDs
- PGL MIS-2012-01 (prior #12-06-WIA), Guidance on Data Integrity and the Customer Participation Cycle for WIA and TAA Programs
- See all PGLs at: <http://www.colorado.gov/cdle/pgl>.

II. PURPOSE:

This Policy Guidance Letter (PGL) outlines and establishes policy for the re-focused roles and responsibilities assigned to the Disabled Veterans Outreach Program (DVOP) specialists and Regional Veteran Employment Representatives (RVERs) and guidance as to the relationship of services provided by the American Job Center (AJC) staff by:

- Clearly defining the distinct duties and reporting requirements of the DVOP specialist and the RVER staff;
- Re-directing the efforts of the Jobs for Veterans State Grant (JVSG) staff by focusing more on their primary responsibilities, i.e. DVOP specialists will provide intensive services to veterans with Significant Barriers to Employment (SBE's), and RVER staff will provide employer outreach and capacity building for all veterans;
- **Emphasizing AJC staff responsibilities for conducting the triage and initial assessment for eligible SBE veterans, and eligible spouses and persons, and outreach to Transitioning Service Members, Warrior Transition Units and Military Treatment Facilities.**

III. BACKGROUND:

Upon USDOL review of the Jobs for Veteran State Grant JVSG, Wagner-Peyser (WP) and Workforce Investment Act (WIA) programs performance indicators and participant characteristics, the Veteran's Employment and Training Service (VETS) and the Employment and Training Administrator (ETA) began discussions on an approach to refocus JVSG staff on their statutory duties and to ensure that eligible veterans and eligible persons receive the best combination of services, according to their needs. The agencies determined that to accomplish this refocusing, the Disabled Veteran' Outreach Program DVOP specialist will serve only those eligible Significant Barriers to Employment (SBE) veterans and eligible persons most in need of intensive services. As a result of these discussions, VETS issued VPLs 03-14 and 04-14, and ETA issued the parallel TEGs 19-13 and 20-13, which identify seven categories of veterans they deem as having possible significant barriers to employment and in need of intensive services. These veterans would be eligible for DVOP services.

Disabled Veterans' Outreach Program (DVOP) Specialists: The roles and responsibilities of the DVOP specialists are defined in U.S.C. Title 38, Chapter 41 Section 4103A. **The primary role of the DVOP specialist is to provide intensive services to meet the employment needs of "eligible veterans with significant barriers to employment, who have served at least 181 days of active duty and have other than a dishonorable discharge, and eligible persons."**

In order to best serve these individuals effectively and efficiently, the DVOP specialists will limit their activities to providing services to eligible veterans, who have served at least **181** days of active duty, and eligible persons who meet the eligible veteran and persons definition under Title 38 Chapter 4211(1),(3), (4) and 4101(5), and **who fall within at least one of the following categories on pp. 3-4 and meet the following definitions:**

A. VETERANS WITH SIGNIFICANT BARRIERS TO EMPLOYMENT (SBE):

1. **Special Disabled or Disabled:** Defined in 38 U.S.C § 4211(1) and (3) as those who are entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs (VA); or were discharged or released from active duty because of a service-connected disability.

A Special Disabled Veteran must also be:

- a. rated by the VA at 30 percent or more disabled, or
 - b. rated by the VA at 10 or 20 percent disabled in the case of a veteran who has been determined to have a serious employment handicap;
2. **Homeless:** Defined using the definition found in both Section 103(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302(a)) and ETA 406 Handbook as:
"An individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable, and who lacks a fixed, regular, and adequate night time residence. This definition includes any individual who has a primary night time residence that is a publicly or privately operated shelter for temporary accommodation; an institution providing temporary residence for individuals intended to be institutionalized; or a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings. This definition does not include an individual imprisoned or detained under an Act of Congress or State law. An individual who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless."
(See the McKinney Act for the full definition);
 3. **Recently-separated:** Defined in 38 U.S.C 4211(6) and VPL 03-14 and TEGL 19-13 , "recently separated veteran" means any veteran within three years of the date of such veteran's discharge or release from active duty, who at any point in the previous 12 months has been unemployed for 27 or more consecutive weeks;
 4. **Ex-offenders:** Defined as those who have been released from incarceration within the last 12 months;
 5. **Lacking a high school diploma** or equivalent certificate;

6. **Low-income:** Defined by WIA at Sec. 101(25)(B)) as an individual who (A) receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program and/or (B) 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 (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A) and that, in relation to family size, does not exceed the higher of (i) the poverty line, for an equivalent period; or (ii) 70 percent of the lower living standard income; (All documentation for definitions (A) or (B) will need to be provided by a third party, i.e. TANF or Social Services office and verified by the DVOP if eligible SBE veteran and/or person is enrolling within a funded program. Otherwise they will strongly encourage the submittal of documentation while still providing services.);
7. **Age between 18-24 years old** as identified in VPL 04-14 and TEGL 20-13

B. VETERANS WITH SIGNIFICANT BARRIERS TO EMPLOYMENT (SBE) – TIME-LIMITED

The two categories listed below are defined within VPL 01-14 and identified as additional SBE categories eligible for DVOP services for a limited period of time. The continuation of these two categories is dependent upon funding and at the discretion of USDOL's Secretary of Labor.

1. **Transitioning Service Member** (TSM): Is defined as an individual who is still on active duty, who plans on retiring within two years **or** separating from the military within one year, **and** has participated in the Transition Assistance Program and has been identified as in need of intensive services.
2. **Wounded Warriors:** Are defined as members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units; or the spouses or other family caregivers of such wounded, ill, or injured members. If the service member attests to being a Wounded Warrior, the DVOP will begin working with the individual and seek to collect documentation to verify their eligibility as a Wounded Warrior.

C. OTHER ELIGIBLE PERSONS:

Spouses of: 1) a totally disabled or deceased veteran whose disability or death was service-connected, or 2) a service member who was listed for 90 or more days as missing in action or forcibly detained by a foreign power while serving on active duty.

NOTE: Should the status of an SBE veteran change while participating in DVOP services, DVOPs will still continue to serve the SBE veterans needing intensive services, based on his/her SBE status at the date of service initiation.

NOTE: For the complete definitions of Special Disabled Veteran, Disabled Veteran, Eligible Veteran, and Eligible Person, please see Attachment 2: Title 38 Definitions. For additional information on Transitioning Service Members and Family Caregivers, see Attachment 3: Additional Populations Eligible for DVOP Services.

IV: POLICY/ACTION:

A. American Job Center Responsibilities – Veterans Triage:

The local American Job Center (AJC) staff is responsible for providing the initial assessment, a two-part triage process that is conducted for the purpose of determining the eligibility of a veteran or spouse of a veteran to be referred for intensive services provided by a DVOP to meet their employment goals.

- Eligibility is determined first by identifying that the veteran meets one of the seven SBE or 2 time-limited SBE categories or the spouse of a veteran meets the definition of an Other Eligible Person. This is accomplished by utilizing **Attachment 1, Veterans and Eligible Spouses or Persons Triage Form**, which allows the individual to self-attest to his eligibility. This triage checklist, or the locally approved version, must be uploaded to Connecting Colorado and attached to the individual's CC record, to prevent veterans returning to the AJC or crossing regions from being subjected to a multiple triages. **The ability to upload documents to a Wagner-Peyser record for all offices to see in Connecting Colorado will be available for use in late October 2014 or soon after.**
- Second, SBE eligible veterans and/or other eligible persons may be referred for DVOP services only after they have received an initial assessment to determine their level of need. This part of the assessment process should include, but is not limited to, verifying the accuracy of information provided during Connecting Colorado registration, and determining the basic job readiness and the extent of AJC services needed by the individual.

NOTE: Although the two-part triage process identifies those eligible for DVOP services, the AJC is ultimately responsible for providing employment services to all registered individuals who are seeking assistance. The intent for assigning DVOP and RVER staff to the AJC is to supplement and not supplant the duties of the AJC staff when providing services to veteran customers. In addition, in offices where no DVOPs are stationed, the AJC staff is expected to provide the needed intensive services.

The state realizes that the refocusing and reform activities outlined in the new federal guidance may require some workforce regions to review and revise intake processes and policies. Should your region need technical assistance on the initial assessment to include the triage process, please make an appointment with your CDLE Regional Director and Local Veteran Employment Representative.

B. American Job Center Responsibilities – Outreach to Transitioning Service Members, Warrior Transition Units and Military Treatment Facilities

American Job Centers in proximity to local military bases should:

- Coordinate with local commanders regarding Capstone activities held for Transitioning Service Members (TSMs), and when possible, provide staff to participate in-person to provide information on AJC services
- Encourage staff to access veteran resources available on-line at: <http://veterans.workforce3one.org>
- Display Veterans Administration Outreach posters and flyers also available at the web link listed above
- Encourage Transitioning Service Members to create profiles on the ebenefits Veterans Employment Center at: <https://www.ebenefits.va.gov/ebenefits/jobs>

American Job Centers in proximity to Warrior Transition Units (WTUs) and Military Treatment Facilities (MTFs) should coordinate with JVSG staff to:

- Contact each WTU and MTF to offer the services of a DVOP specialist for any eligible service member, family member or caregiver in need of employment-related assistance
- Determine the appropriate DVOP schedule to meet the need for their services at each facility
- Enter into any needed Memorandum of Understanding with each facility
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C. Roles and Responsibilities of the DVOP:

1. Providing Intensive Services:

The primary role of the DVOP specialist is to provide intensive services to eligible SBE veterans and eligible persons. Intensive services are meant for the eligible SBE veterans and eligible persons who, without intensive services, would not otherwise succeed in meeting their employment goals. If at any time an SBE veteran or eligible person, whether self-directed or AJC staff assisted, is identified as struggling to meet their employment needs, they should be directed to a DVOP specialist. DVOP specialists can use core services but only after using one or more of the following intensive services as part of a case management approach:

Comprehensive Assessment (CA): This is the first service provided when seeing an SBE veteran or eligible person for the first time or upon reactivation. It is used to determine the extent of services needed in order for the SBE veteran or eligible person to meet their employment goals. It includes comprehensive and specialized assessments of the skill levels and services, which may include diagnostic testing and use of other assessment tools, and in depth interviewing and evaluation to identify employment barriers and appropriate employment goals.

Individual Employment Plan (IE): A formal written document outlining a course of action that will lead to the individual entering employment; to include short and/or long term goals to remove barriers to getting and keeping employment.

Counseling (CS): A client centered service that may involve personal, financial, life management, case management, career guidance and counseling. This service

also includes referrals to other assistance, as well as, arranging for additional support services not previously acquired.

Pre-Vocational Services (PV): Short-term pre-vocational services such as GED, ESL, remediation and workplace literacy.

2. **Properly Documenting Services and Activities in Connecting Colorado**

The importance of accurate and timely documentation of the services provided to the SBE veteran job seeker and eligible person is critical to the success of the JVSP Program and other employment and training programs within the AJC.

Documentation, when properly entered, is used to verify the actual services provided to the SBE veteran and eligible person in order to receive credit and to verify the valuable work and time put in by the DVOP specialist. The services and other documentation must be entered into Connecting Colorado within 14 calendar days from the date of the service provided. This requirement is described in **PGL 12-06-WIA** on Data and Program Integrity.

After each contact and/or visit with an eligible SBE veteran and eligible person, at a minimum, the following shall be documented within the appropriate Connecting Colorado general case note screen:

- The Agent ID
- Position
- Date
- Identify client
- Indicate whether the contact with SBE veteran or eligible persons took place in-person, by phone or by email
- If in person, where
- Purpose of the contact
- Every core and intensive service provided
- Result/outcome of the contact
- Date of follow-up if applicable
- Identification of the SBE category being addressed by the contact

Other services and activities that should be documented in Connecting Colorado within the appropriate screens are:

- All pertinent information in regards to the SBE veteran and eligible persons that would help in their employment efforts
- All activities that take place in regards to the co-enrollment of the SBE veterans and/or eligible person in WIA or other employment and training program
- All supplemental data and methods must be documented and are subject to audit. If you are using general notes to document supplemental data for entered employment, the note can be based on information gathered either from the participant or the employer. The note should include, at a minimum, employer, job title, and wage information
- The change of a veterans status and the reason for the change

- Upload resume, if appropriate, at the time of the initial contact or within 30 days of their enrollment in the VS program. If a delay beyond 30 days is needed, the reason for the delay is to be documented on the general case note screen. A well-written resume helps the RVER when working with employers to find suitable employment. For those in Targeted Career Management, an uploaded resume is required. (The ability to upload documents to a Wagner-Peyser record for all offices to see in Connecting Colorado will be available for use in late October 2014, or soon after.)

3. Collecting Required Documentation

For those co-enrolled in funded programs, all documentation required for proof of eligibility and registration must be collected and uploaded into Connecting Colorado before any funding is utilized; however, the DVOP can and should begin working with the veteran if he/she attests to being an eligible SBE veteran or other eligible person. For unfunded services, the eligible SBE veteran and eligible persons are provided services through self-attestation. The DVOP will encourage the eligible SBE veteran and eligible person to bring in “documentation viable to proof” while still providing services.

4. Providing Targeted Career Management (TCM)

DVOP specialists are encouraged to use the term “Targeted Career Management (TCM).” TCM should be explained to the SBE veteran as a method that:

- Provides structured dialogue, processes, and solutions that are appropriate to the SBE veteran
- Allows for integration of the needs of the SBE veteran
- Enables modifications based on goals and outcomes
- Creates program flexibility
- Gives the SBE veteran greater creative control over their process

TCM will be the framework used by DVOPs to deliver intensive services. It is expected that every SBE veteran and eligible person who meets with a DVOP will need intensive services and TCM. SBE veterans and eligible people who are placed in TCM by a DVOP will be coded with a Veteran Service (VS) code, a Comprehensive Assessment (CA) and Individual Employment Plan (IEP). The CA and IEP will be uploaded into Connecting Colorado and attached to the individual’s Connecting Colorado record. (The ability to upload documents to a Wagner-Peyser record for all offices to see in Connecting Colorado will be usable in late October 2014, or soon after.)

Veterans with a VS code will be contacted at a minimum biweekly (twice a month), first by phone and then, if needed, by email to see how their employment efforts are going. In-office visits will always be an option offered to them if a visit will help them in their employment efforts. If the veteran refuses to follow up with the DVOP for a period of 30 days or more, the DVOP will hard exit them from the program on their last day of service.

5. Conducting Outreach:

The DVOP specialist outreach activities are to identify eligible veterans with SBE’s

and to provide them with intensive services in order to help them enter/re-enter employment. The first place in which outreach should be conducted is to those eligible SBE veterans and persons who are already registered in Connecting Colorado. The DVOP specialist may also conduct outreach activities with various organizations whose efforts also are intended to assist veterans with significant barriers to employment (SBE). All outreach activities must be coordinated and approved by the Regional Director of the Veterans Program. Potential partner organizations and resources for outreach may include, but are not limited to:

- Connecting Colorado (State MIS Database)
- AJC Partners (particularly WIA and Wagner-Peyser)
- Military Installations...excluding the Transition Assistance Program (TAP)
- Colleges, Universities and Technical Schools
- Homeless Veterans Reintegration Programs (HVRP) and Homeless Shelters
- Vocational Rehabilitation and Employment Programs (VR&E)
- Department of Veteran Affairs Medical Centers and Vet Centers
- Veteran Service Offices (VSO)
- County Departments of Human Services

In an effort to meet the employment and training needs of veterans, USDOL recognizes that changes in workforce programs' service delivery strategies to veterans are needed to respond to the forecasted increase in veterans, including men and women transitioning from the wars in Iraq and Afghanistan, to the civilian labor force. As such, DVOPs conducting approved targeted outreach will begin assisting eligible veterans at the outreach location instead of directing them to the nearest American Job Center. DVOPs will complete an Initial Assessment utilizing the triage checklist found at Attachment 1 of this PGL or a locally approved version. DVOPs are responsible for entering all outreach activities into Connecting Colorado. Veterans not meeting one of the SBE categories or in need of intensive services will be provided a point of contact for assistance at the nearest AJC.

D. Role and Responsibilities of the RVER:

Under 38 U.S.C. 4104(b), the Regional Veteran Employment Representative's (RVER's) principal duties are defined as: (1) conduct outreach to employers in the area to assist all veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups; and (2) facilitate employment, training, and placement services furnished to veterans. This is defined as the act of "capacity building" within their assigned AJCs to ensure easier access to the appropriate employment and training services for all veterans. This means that RVERs play an important role in assisting with the development of the service delivery strategies employed in the AJC, as well as educating all AJC partner staff with current employment initiatives and programs for veterans. These activities should be coordinated through the CDLE Regional Directors to ensure consistency of efforts across the state.

RVERs will be assigned duties that promote to employers, employer associations, and business groups the advantages of hiring veterans. RVERs will work with employers and employer groups to promote the advantages of hiring veterans, and promote job seeking veterans as individuals who have highly marketable skills and experience. When employer outreach is primarily accomplished by a “Business Services Team” or a like entity, the RVER will be included as an active member of that team. The RVERs should advocate for all veterans served by the AJC with business, industry, and other community-based organizations by participating in appropriate activities such as:

- Planning and participating in job and career fairs, which may include, but is not limited to, manning a booth to provide information (but not services) to veterans, and conducting outreach to businesses on behalf of veterans
- Conducting employer outreach
- In conjunction with employers, conducting candidate searches, and establishing job search networking groups
- Contacting employers for specific job opportunities for veterans
- Coordinating with unions, apprenticeship programs and business organizations to promote and secure employment and training programs for veterans
- Providing training and guidance to federal contractors interested in hiring veterans
- Coordinating and participating with other business outreach efforts
- Coordinating with employers to offer Career Development Workshops for veterans

1. Locations where RVER staff can seek out employment opportunities will include, but are not limited to:

- Outreach to Federal Contractors
- Private Businesses
- Chambers of Commerce
- Trade/Industry representative organizations
- Public Employers
- Staffing Agencies (that do not charge the job seeker a fee)
- Headhunters (that do not charge the job seeker a fee)
- Monster, Indeed, LinkedIn, or other on-line resources.
- Employers who list job orders on Connecting Colorado

2. Documenting Services in Connecting Colorado: RVERs will document service codes utilizing the Business Services list of services only; RVERs are strictly prohibited from providing services to veteran and other eligible job seekers.

3. Collection of Supplemental data The RVER will ensure that supplemental data is collected quarterly in order to meet the negotiated performance measures

4. Additional duties assigned to the RVER Position: The RVERs are also responsible for the following duties and additional duties as assigned to them by their supervising CDLE Regional Director, such as
- Coordinating, writing, and submitting the Regional Manager's Report on services to veterans using the format found in **VPL 01-10**
 - Collecting monthly success stories, special projects, and other RVER and DVOP activities; edit reports for grammar and content before forwarding to the Regional Directors
 - Facilitating AJC staff training/technical assistance on veteran PGLs, providing updates to the local AJC staff, particularly new hires
 - Ensure Veteran Priority of Services and other veteran initiatives/issues are understood and implemented
 - Act as Subject Matter Expert (SME) on all policies and procedures related to the Veteran Employment program

Conduct Informational Orientations for new AJC staff on the subject of the Veteran Employment Program

V. IMPLEMENTATION DATE: Effective immediately.

VI. INQUIRIES:

Please direct all inquiries to your Regional Liaison at Workforce Development Programs.

Elise Lowe-Vaughn, Director
Workforce Programs, Policy, and Strategic Initiatives

ATTACHMENTS:

1. Veterans and Eligible Spouses or Persons Triage Form
2. Title 38 Definitions
3. **Additional Populations Eligible for DVOP Services**

