



Category/Subject: WIOA – Eligibility for Title I Programs
Colorado Policy Guidance Letter#: 15-09-WIOA
Revise/Replace PGL#: 08-17-WIA
Date: August 12, 2015
Distribution: CDLE Management/Finance, State/Local Workforce Directors & Staff, Partners

Revisions from Public Comment Period in Yellow

I. REFERENCE(S):

- Workforce Innovation and Opportunity Act, PL 113-128 – July 22, 2014
- [TEGL 38-14: Transition from WIA to WIOA](#)
- Jobs for Veterans Act of 2002 (Public Law 107-288);
- Colorado House Bill 06S-1023, Restrictions on Public Benefits (July 31, 2006);
- TEGL 22-04 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
- TEGL 22-04, change 1 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
- TEGL 5-08, Policy for Collection and Use of Workforce System Participants’ Social Security Numbers (November 13, 2008)
- TEGL 11-11, Change 2 – Selective Service Registration Requirements for Employment and Training Programs (May 16, 2012)
- TEGL 09-12, Services to Victims of Human Trafficking (October 24, 2012)
- TEGL 02-14, Eligibility of Deferred Action for Childhood Arrivals Participants for WIA and Wagner-Peyser
- PGL 12-06-WIA: Data Integrity and the Customer Participation Cycle
- PGL 14-05-WIOA: Guidelines for Affidavit of Immigration Status
- PGL 14-07-V: Veterans Priority of Service

II. PURPOSE:

To provide comprehensive guidelines for local workforce areas regarding the determination of eligibility for WIOA programs, and to provide information on the use of appropriate documentation or self-attestation to support eligibility determinations. Included in the WIOA changes are:

- **Revision of the Adult Program Eligibility** attachment to include basic information regarding new WIOA adult priority of service requirements;
- **Revision of the Dislocated Worker Program Eligibility** attachment to include:
 - One new eligibility category for spouses of active military members;
 - **Addition of transitioning military members and recently separated**

- o veterans as Dislocated Worker eligibility categories; and
- o An expanded definition of displaced homemaker that includes dependents of active military members.
- **Major changes throughout the Youth Eligibility** attachment to provide detailed guidance regarding the Out-of-School and In-School eligibility categories, plus two new options for determining low income;
- **Elimination of set aside grants** in the Discretionary Grant attachment;
- **New Attachment 14:** Youth in Poverty Interactive Map
- **New Attachment 15:** Example Documentation for Spouses of Active Military Members
- Change of all WIA references to WIOA throughout the PGL and attachments

III. BACKGROUND:

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes titles I and II of the Workforce Investment Act of 1998, and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973. In general, the Act takes effect on July 1, 2015, the first full program year after enactment, unless otherwise noted.

Per TEGL 38-14: Transition from WIA to WIOA, **local program operators must adhere to the law's eligibility guidelines as of July 1, 2015**, to ensure all those who receive WIOA-funded services are eligible. This PGL provides the detailed guidance necessary to implement this directive.

IV: POLICY/ACTION:

Local Workforce Boards are required to establish and formally approve a local policy for making eligibility determinations for the three WIOA funding streams: adult, dislocated worker, and youth. **Local Workforce Areas are expected to modify local policies and procedures as needed to incorporate the changes and additions to this PGL**, including guidance on the use of self-attestation as a last resort when other documentation can't be found or accessed. Self-attestation guidance in the local policy should identify a form to be signed off when self-attestation is necessary and the circumstances under which self-attestation will be allowed.

Local workforce areas are advised to conduct a careful and detailed review of the WIOA changes to this PGL. In addition, local areas should disseminate this PGL to appropriate staff and ensure that local policies and procedures are revised to incorporate the changes. Regional Liaisons will be available to provide technical assistance as needed.

Drafts of modified local policies are to be submitted to your Regional Liaison no later than 90 days following the issue date of this PGL (August 10, 2015).

V. IMPLEMENTATION DATE:

July 1, 2015

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. WIOA Title I Adult Program Eligibility Requirements
2. WIOA Title I Dislocated Worker Program Eligibility Requirements
3. WIOA Title I Youth Program Eligibility Requirements
4. WIOA Title I Discretionary Grant Eligibility Requirements
5. TEGL 22-04 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
6. TEGL 22-04, change 1 - Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
7. TEGL 5-08, Policy for Collection and Use of Workforce System Participants' Social Security Numbers (November 13, 2008)
8. TEGL 11-11, Change 2 – Selective Service Registration Requirements for Employment and Training Programs (May 16, 2012)
9. TEGL 09-12, Services to Victims of Human Trafficking (October 24, 2012)
10. TEGL 02-14, Eligibility of Deferred Action for Childhood Arrivals Participants for WIA and Wagner-Peyser
11. TAN 12-1: Using UI Documents and Screens for Dislocated Worker Eligibility
 - a. EUC-8
 - b. Notice of Decision
 - c. CUBS 20 Screen
12. Samples of New Drivers' Licenses and IDs
13. Connecting Colorado Supply and Demand Report for DW Eligibility
14. Youth in Poverty Interactive Map
15. Example Documentation for Spouses of Active Military Members