

September 5th, 2023



Objective

- The primary objective of this presentation is to discuss the details around Workforce Innovation and Opportunity Act (WIOA) General Eligibility criteria.
- Secondarily, it will demonstrate how the various WIOA General Eligibility criteria are recorded on a client's electronic record in Career Connect.



Federal Guidance

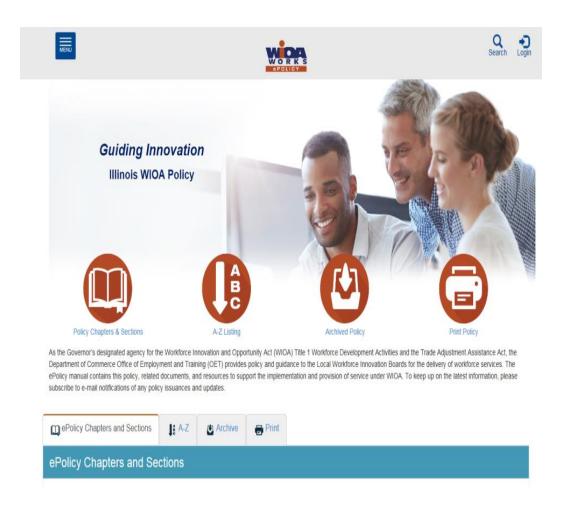
- Workforce Innovation and Opportunity Act of 2014 is the overall driving factor for all the WIOA programs.
- TEGL 19-16 Guidance on Services Provided through Adult and Dislocated Worker under WIOA dated April 1st, 2017.
- TEGL 21-16 Third WIOA Title I Youth Formula Program Guidance dated April 2nd, 2017.
 - Change 1 to TEGL 21-16 was issued July 31st, 2021 Deals with updated process for Determining Low Income for Youth Living in a High Poverty Area.
- TEGL 09-22 WIOA Title I Youth Formula Guidance dated March 2nd, 2023
- TEGL 02-14 Eligibility of Deferred Action for Childhood Arrivals (DACA) Participation dated July 14th, 2014, is still current DOL guidance.



Understanding the ePolicy Manual

The Illinois Department of Commerce and Economic Opportunity, Office of Employment and Training (OET) utilizes a WIOA ePolicy portal where all current and new guidance issued by the Illinois Workforce Innovation Board (IWIB) and OET will be maintained.

Homepage: www.illinoisworknet.com/DCEOPolicies





State Policy Guidance

- WIOA ePolicy Chapter 5 Section 1 General Eligibility.
- WIOA ePolicy Chapter 5 Section 1.1 Selective Service Guidance.
- WIOA ePolicy Chapter 5 Section 7 Veteran's Priority of Service Requirements.



Local Procedure/Guidance

- Besides the guidance in Federal and State Policies, each Local Workforce Innovation Area (LWIA) has the latitude to establish additional Local Policy Guidance.
- Chicago Cook Workforce Partnership does an exceptional job conducting tailored virtual trainings/webinars and has developed a Staff Training Guide that can be accessed on the Career Connect



Local Procedure/Guidance



Chicago Cook Workforce Partnership WIOA Training Guide

PURPOSE FOR THE TRAINING GUIDE

To assist agencies with the following:

- Navigating Career Connect Help Desk
- Onboarding New Agency/Staff
- Refresher /Crash Course

Access Career Connect Help Desk at: https://workforceboard.zendesk.com/hc/en-us

The help desk is a website where the partnership houses state and local policies and procedures. We refer to this as our electronic library where you can find forms, documents and webinars and submit a help desk ticket.



Before we get into Eligibility

U.S. Department of Labor put out guidance on Handling and Protection of Personally Identifiable Information (PII) in TEGL No. 39-11.



- Illinois State Laws
 - Identity Protection Act (5 ILCS 179)
 - Personal Information Protection Act (815 ILCS 530)
 - Illinois Data Security on State Computers Act (20 ILCS 450/25)
- WIOA Final Rule at 20 CFR 683.220 Recipients and Subrecipients of WIOA Title 1 funds must have an internal control structure and written policies in place to protect PII and sensitive information.



- Federal Uniform Guidance
 - 2 CFR 200.303(e) Must take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or the non-Federal entity designates as sensitive.
- Your Employer's/Pass-Through Entity's Policies and Procedures
 - TEGL 39-11 requires that DOL ETA grantees must have policies and procedures in place under which personnel, before being granted access to PII, acknowledge their responsibilities for safeguarding data.



Definition of PII

- DOL definition of PII
 - PII is Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. Note: There is a similar definition of PII in the Uniform Guidance at 2 CFR 200.79.



Protected PII

- Information that if disclosed could result in harm to the individual. According to the Uniform Guidance at 2 CFR 200.82, this does not include PII that is required by law to be disclosed.
- Non-Sensitive PII
 - Information that if disclosed, by itself, could not reasonably be expected to result in personal harm.

Note - Non-sensitive PII linked to protected PII (example: Name linked to a Social Security Number) could result in harm to an individual.



- PII and other sensitive information must be protected.
- Don't email sensitive PII unless it is encrypted.
- Don't store sensitive PII on portable drives or media unless it is encrypted.
- Access to any PII created by the ETA grant must be restricted to only those employees who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.



Bottom line - you must keep all client's personal information protected from unauthorized personnel.



General Eligibility

DCEO ePolicy - WIOA General Eligibility Policy 5.1

- All clients must be authorized to work in the U.S. before they meet WIOA General Eligibility.
- All clients born male, who have turned age 18 and were born on or after January 1st, 1960 must be compliant with Selective Service before they meet WIOA General eligibility.



General Eligibility

When you review DCEO ePolicy - WIOA General Eligibility Policy Chapter 5 Section 1 you will also notice it gives guidance about signature requirements for an application and other miscellaneous guidance that is applicable to all WIOA clients.



Authorized to Work in U.S.

Participation in WIOA programs and activities is limited to United States citizens, lawfully admitted permanent resident aliens, lawfully admitted refugees and parolees, and other persons authorized by the Attorney General to work in the United States.



TEGL 02-14 - Related to DACA

As of Wednesday, September 5th, 2023 - the Federal Guidance in Training and Employment Guidance Letter 02-14 - Eligibility of Deferred Action for Childhood Arrivals (DACA) Participation is still current DOL guidance.



TEGL 02-14

- Under TEGL 02-14 paragraph 3. background provides the detailed guidance related to the specifics.
- If a WIOA client does meet the criteria laid out under the guidance in TEGL 02-14, within Attachment "A" under acceptable documentation to support Authorized to Work in the U.S. it does include "Self Attestation on how to meet DACA requirements outlined in DOL TEGL 02-14.



Under section 3.

Background. On the bottom of page 1., and top of page 2 of TEGL 02-14 is the section that addresses the specific circumstances for an individual to fall under the DACA criteria:

TEGL 02-14

- 3. <u>Background</u>. On June 15, 2012, Department of Homeland Security (DHS) announced its "Deferred Action for Childhood Arrivals" (DACA) process for individuals who came to the United States as children and meet the following key guidelines:
 - Were under the age of 31 as of June 15, 2012;
 - Came to the United States before reaching their 16th birthday;
 - Have continuously resided in the United States since June 15, 2007, up to the present time;
 - Were physically present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with U.S. Citizenship and Immigration Services (USCIS);

RESCISSIONS	EXPIRATION DATE
None	Continuing

- Entered without inspection before June 15, 2012, or their lawful immigration status expired as of June 15, 2012;
- Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or other equivalent State-authorized exam in the United States, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.



WOA Authorized to Work in the U.S.

- The question related to Authorized to Work in the U.S. is captured on the Private Information Screen within the Career Connect application.
- Only a response of "Yes" will pass the internal edit logic for WIOA Eligibility.
- The client must provide documentation at time of eligibility certification to support Authorization to work in the U.S.





Authorized to Work in the U.S.

*Verify:

- In Career Connect, once the U.S. Citizenship Status: question is populated; then required to "Verify" the documentation:
- The choices appearing in the drop-down match those within "Attachment A" of the various State Eligibility Policies.
- *U.S. Citizenship Status: Citizen of U.S. or U.S. Territory [Verify | Scan | Upload | Link] Citizen Verification Birth Certificate with place of birth U.S. social security card (other than a card that indicates not valid for employment) Enhanced Driver's License / REAL ID Alien Registration Card indicating Right to Work ■ Baptismal Certificate with Place of Birth DD-214 with place of birth Foreign Passport Stamped Eligible to Work Hospital Birth Record Indicating US Citizenship



- DCEO ePolicy Selective Service Policy 5.1.1
 - Change in Policy on 8-19-2021 to clarify that Selective Service requirements are tied to the term male refers to gender assigned at birth.
 - All individuals born male, who are age 18 or older and who were born on or after January 1st, 1960 must have registered with Selective Service. However, sometimes there are instances where an individual might not have registered with Selective Service, if they have not and are under the age of 26 they can still register with Selective Service.



Any ideas on instances when an individual who was born a male, might not have registered with Selective Service when he turned age 18?



- An individual was not in the U.S. when they had turned age 18.
- An individual was incarcerated at age 18 and beyond.
- An individual had signed up and was serving in the military from age 18 and beyond.
- The individual did not know they were required to register with Selective Service.



If have not registered with Selective Service but are required and are under the age of 26, the individual can still register with Selective Service and become compliant with Selective Service.



- If the client is a female or a male born prior to 1/1/1960, the Selective Service Compliant question is "Not Applicable".
- If the client was born a male under the age of 18, Selective Service Registration is "Not Applicable" at the time of application.



- Most individuals born male, who have turned age 18 will have been compliant with Selective Service, however, most will probably not know their Selective Service Number.
- To obtain the Selective Service Number, for the question in the Career Connect application, so you would go into the Selective Service Website via Verify Compliance.

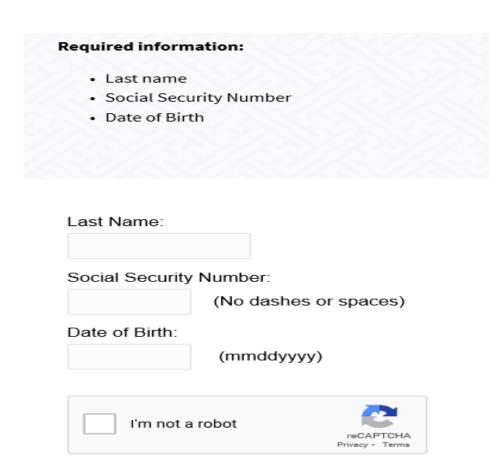


Selective Service System





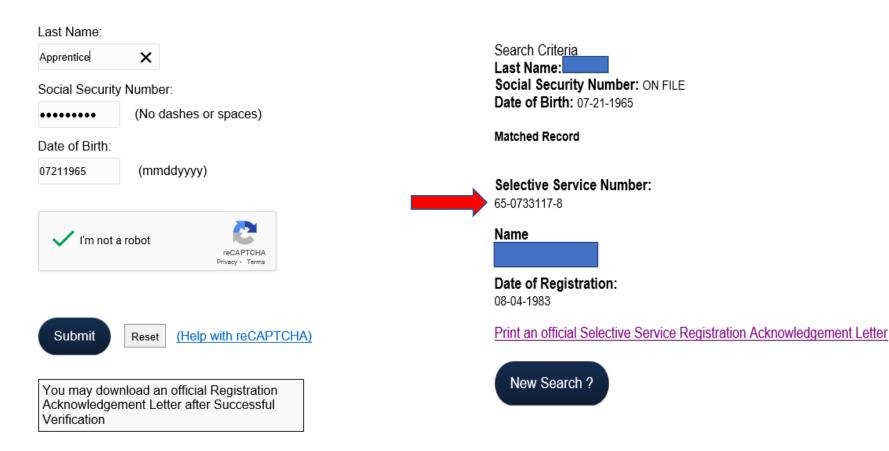
- The verification will require the client's last name, SSN and Date of Birth.
- Then must prove you are not a "robot" for the search to continue.





Once the search is completed, if the individual was already registered with Selective Service, the details including the Selective Service number will be provided. (See the next slide for an example.)







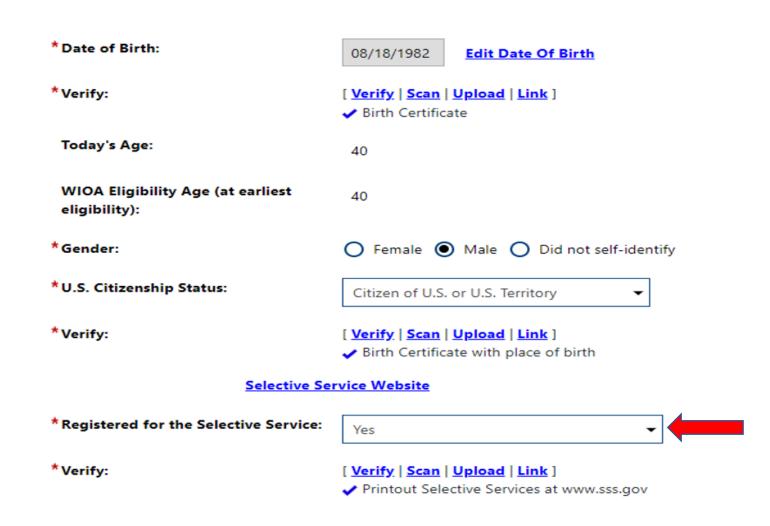
- The Career Coach would print the verification document with the selective service number and place it in the file to support selective service compliance.
- The Career Coach will record the details about Selective Service on the "Demographics Information" screen within Career Connect.



Within Career Connect

Demographic Information

On the "Demographic Information" screen is where Selective Service details are captured:





- The Career Coach would transcribe the selective service number from the website over into the application's "Demographics Information" screen in Career Connect question for "Selective Service Registration Number".
- The Career Coach would also record the date the individual had registered with Selective Service.



Within Career Connect

On the "Demographic Information" page is where the selective service number is also recorded along with the date the client had registered with Selective Service:

Selective Service Website

*Registered for the Selective Service:	Yes ▼
*Verify:	[<u>Verify</u> <u>Scan</u> <u>Upload</u> <u>Link</u>] ✓ Printout Selective Services at www.sss.gov
*Selective Service Registration Number:	8212331782
Selective Service Registration Date:	08/18/2000



- The real issue comes to play when a male client who was born on or after 1/1/1960, that is now age 26 or older and is not compliant with selective service.
- As previously mentioned, most often reasons an individual might not be compliant with Selective Service?
 - Entered the country for the first time after they had turned age 26.
 - Was in the military from age 18 and did not register.
 - Was incarcerated from age 18 and did not register.



- The Office of Employment and Training (OET) Policies referenced directly below provide specific details about the steps needed for "Locally Approved Selective Service Waivers" when a male client, who has turned age 26 or older and has not registered with Selective Service:
 - OET ePolicy Chapter 5 Section 1.1.1 Selective Service Guidelines.
 - OET ePolicy Chapter 5 Section 1.1.3 Written Local Policy Selective Service Compliance Requirements address the details required for a "Locally Approved Selective Service Waiver".



- In all instances, if a male client who had been born on or after 1/1/1960 and who did not register for Selective Service, the client is first required to complete a DCEO/SS Form #001 Selective Service Verification Form.
- The client must support why he did not willingly and knowingly fail to register.
 - Meaning if he states, "yes I knew I was supposed to register with Selective Service and I chose not to", he cannot receive a Locally Approved Selective Service Waiver.



On the adjacent screen is an example of a blank DCEO/SS Form #001, this form is part of OET Policy Chapter 5 Section 1.1.1 the client must complete, sign and date this form as part of any "Locally **Approved Selective Service** Waiver".

Illinois Department of Commerce and Economic Opportunity Selective Service Verification Form

		DCE(Certification Number: Grant Number:	USE ONLY		
Verification Questions:		•			
Mease answer the following questions concerning you include additional information, you can attach the exp			complete this form or		
Are you a male, born after January 1, 1960 who has			No		
f you answered "no" to question 1, you have met the service within 18 days of your birthday. If you answer			must register with selective		
E. If you answered yes to question 1, have you registered with Selective Services? Yes No					
If you answered "yes" to question 2, you have met the If you answered "no" to question 2, please continue to					
 Are you currently serving in the military on full-time or institution, or are hospitalized, institutionalized, 		nles, are disabled and conf	ined to a residence, hospital		
If you answered "yes" to question 3, you have met the released from the above exclusions if you have not re- of the form.					
4. Were you aware of the requirement for you to regi	ster with selective service? Yes	No			
5. If you were aware of the requirement to register, w	ere you misinformed about the applicable	lity of the requirements to	you? Yes No		
On what date did you first learn of the requirement	to register with selective service and its	pertinence to you?			
 What actions, if any, did you take when you learned 	or this requirement?				
S. Did you deliberately fall to register with selective se	rvice)? Yes No				
9. If not, why did you fall to register?					
 During the time between your 18th and 26th birthd during this time, include the other addresses on a s 		idress? (If you had more th	an one permanent address		
Address:		P.O. Bax:			
City:	State	: Zip Code:			
Customer's Name:					
Customer's Signature:		Date:/			
May 2012	Page 1 of 1	DC	EO/SS Form #001		



- The next step is called the Status Information Letter (SIL) from Selective Service.
 - However, in the case of an individual who first entered the U.S.
 on or after his 26th birthday he is not required to obtain a SIL for
 the waiver.
 - Also, if an individual is a Veteran, he is not required to obtain a SIL for the waiver.
- All other individuals who need a waiver, must receive the SIL as part of the waiver approval.



Details about SIL

Request a Status Information Letter

Complete a request form for a status information letter available here. You will have to describe, in detail, the circumstances you believe prevented you from registering and provide copies of documents showing any periods when you were hospitalized, institutionalized, or incarcerated occurring between your 18th and 26th birthdays. If you are a non-citizen, you may be required to provide documents that show when you entered the United States. Please include your name, social security number, date of birth, and return address.

Please note the following:

- · Keep your SIL in your permanent files for future reference.
- Send a copy, not your original, SIL to submit with your application for state-based student financial aid, employment, security clearance, U.S. citizenship.
- Do not send us your original documents. Only send copies of documents which you are required to send.

Please mail your form to:

Selective Service System

ATTN: SIL

P.O. Box 94638

Palatine, IL 60094-4638

SIL Request Form

You can also call us at 847-688-6888 to request a SIL. Your call will be answered by an automated voice processing system. Please refrain from pressing any numbers, and an operator will soon come on the line to assist you.

A complete list of acceptable documentation for exemption may be found here.

List of Exemption Documents



- OET ePolicy Selective Service Policy Chapter 5 Section 1.1.3 requires each LWIA establish their own Local Selective Service Waiver requirements, which must include who is the approval authority at the LWIA for the Locally Approved Selective Service Waiver.
- But at a minimum the local policy must still follow those steps explained in the previous slides, including but not limited to the completed DCEO/SS Form #001 starts the Locally Approved Selective Service Waiver.



LWIA 7 Local Policy Guidance

- LWIA 7 Locally Approved Selective Service Waiver can be found on the Help Desk
 - LINK: https://workforceboard.zendesk.com/hc/en-us/articles/360059496291-

• Both the Local Waiver and the State Waiver are required.



LWIA 7 Local Policy Guidance

CHICAGO COOK WORKFORCE PARTNERSHIP

- On the adjacent screen is an example of LWIA 7's Locally Approved Selective Service Waiver. This form is required along with the State Waiver.
- This form can be found on the Help Desk.

LINK:

https://workforceboard.zen desk.com/hc/enus/articles/360059496291-

WORKFORCE INNOVATIO LOCALLY APPROVED SEL			(OA)		
Delegate Agency Name: Customer Name: Social Security Number: Date of Birth:	<u>-</u>				
Reason Customer Failed to R	egister for Selectiv	ve Service (Custo	omer Statement)	:	
Customer Signature:					
Date:					
Delegate Agency Determina	tion:				

In determining whether the failure was "knowing" or "willful," the authorized delegate agency official should consider the following:

- Was the individual aware of the requirement to register?
- If the individual knew about the requirement to register, was he misinformed about the applicability of the requirement to him?
- On which date did the individual first learn that he was required to register?
- Where did the individual live when he was between the ages of 18-26?
- Was the failure to register done deliberately and intentionally?
- Did the individual have the mental capacity to choose whether or not to register and decided not to?
- What actions, if any, did the individual take when he learned of the requirement to register?



- Whomever is the approval authority for a LWIA's locally approved selective service waiver, must take the following into consideration:
 - Circumstances of why the man did not register (This should be documented on the DCEO/SS Form #001).
 - If required, the approval authority would review the DCEO/SS Form #001 and the SIL and then the grantee must determine if the client did not knowingly and willfully fail to register for Selective Service.

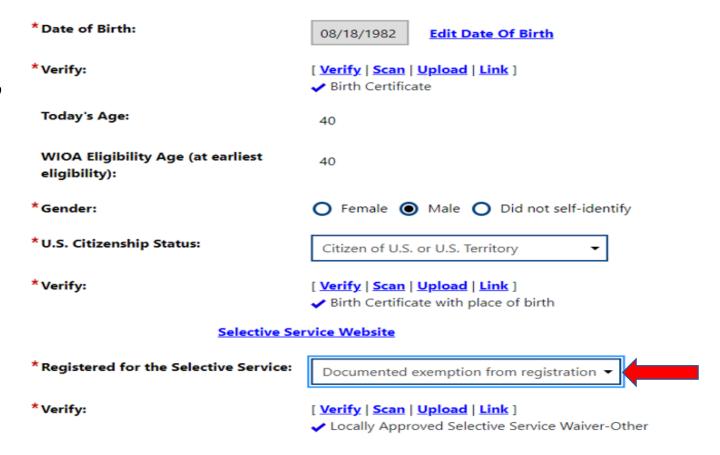


If Waiver is approved, then the Career Connect record would be populated with "Documentation exempt from registration" in the Selective Service Compliance block.



Demographic Information

Only populate "Documented exemption from registration" if you have an approved "Locally Approved Selective Service Waiver".





If Locally Approved Selective Service Waiver is approved, all documentation supporting the approved waiver needs to be placed in the clients record so when the file is monitored, all information must be present to support the waiver.



- Guidance on Locally Approved Selective Service Waiver "if the failure is deemed knowing and willful, then the client must be denied WIOA services".
- Decisions are to be made on a case-by-case basis meaning there should never be a cart blanc approval process.



- When a Male entered the WIOA program under the age of 18, he was not required to be compliant with Selective Service.
- However, to continue to receive WIOA services when he turns age 18, he must register with Selective Service no later than 30 days after turning age 18.



- When a male who entered the WIOA program under the age of 18 gets within 30 days of his 18th birthday, he can register with selective service.
- When the male is within 30 days of turning age 18, the information related to Selective Service on the "Demographic Information" screen on his WIOA application is available to update.



Update Selective Service Information in Career Connect - Once you are "assisting" the customer, click on the pencil icon to edit the application.

WIOA #369944 - Complete			
LWDB: Onestop: Open/Total Activities:	07 - Chicago Cook Workforce Partnership 74 - Youth Connection Charter School (1616) 0 / 4	Application Date Participation Date: Closure Date: Exit Date:	09/26/2022 09/26/2022 N/A N/A



Demographic Information

Once in the WIOA Application go directly to the Demographics tab.

*Date of Birth: 08/22/2005 **Edit Date Of Birth** Intro **⊘** Contact **Demographic** *Verify: [Verify | Scan | Upload | Link] **⊘** Education Birth Certificate Veteran Employment Today's Age: 17 Barriers Family Income Worksheet WIOA Eligibility Age (at earliest 17 ✓ Household And Income Miscellaneous State Specific eligibility): **▼** Eligibility Summary *Gender: Female Male Did not self-identify *U.S. Citizenship Status: Citizen of U.S. or U.S. Territory *Verify: [Verify | Scan | Upload | Link] ✓ Birth Certificate with place of birth



Update Selective Service Information on the Demographics tab

Scroll down to the Selective Service section and update to YES, select the document used to "Verify," add the selective service number and the date customer registered. Once complete, scroll down and click NEXT. This customer is now compliant with Selective Service.





Failure/Refuses to Register

- If a male who entered the WIOA program under the age of 18, refuses to register with Selective Service when he turns age 18, all WIOA Services must be closed until he becomes compliant with Selective Service.
- If the client is Selective Service non-compliant 90 days after his services were closed, he must be exited.



Disallowed Costs

If a male who entered the WIOA program under the age of 18, refuses to register with Selective Service when he turns age 18; and "IF" he continued to receive WIOA services, any services provided after the 18th birthday could be disallowed costs.



Selective Service Compliance

- Bottom line, any WIOA client who was born a male, on or after 1/1/1960 who has turned age 18 must have his Selective Service status of either "Yes" or a "Locally Approved Selective Service Waiver".
- "Locally Approved Selective Service Waivers" are only for clients born a male, on or after 1/1/1960 who have turned age 26 and can no longer register with Selective Service.



Veteran's Priority of Service

- OET ePolicy Veterans Policies Chapter 5 Sections 7.1 and 7.2 offers further guidance on various Veterans and Veterans Priority of Service issues.
- Let us first review the definitions related to a Veteran, Qualified Spouse of a Veteran, and Transitioning Service Member.



Veteran Key Definitions











Priority of Service for Veterans and Eligible Spouses

The U.S. Department of Labor (DOL) issued new regulations implementing priority of service for veterans and eligible spouses, as provided by the Jobs for Veterans Act (JVA), and as specified by the Veterans' Benefits, Healthcare, and Information Technology Act of 2006. JVA calls for priority of service to be implemented by all "qualified job training programs," defined as "any workforce preparation, development or delivery program or service that is directly funded, in whole or in part, by the Department of Labor." The purpose of these regulations is to further articulate how priority of service is to be applied across all new and existing qualified job training programs. The new regulations appear in the December 19, 2008 edition of the Federal Register and are effective as of January 19, 2009.

Key Definitions

- Covered person The regulations adopt and apply this statutory term, which includes eligible spouses, as defined by the statute, and veteran, as defined by the regulations.
- Veteran The regulations specify that the definition for veteran specified at 38 U.S.C. 101(2) applies across all qualified job training programs for the purpose of priority of service. That definition includes two key criteria:
 - o Service in the active military, naval, or air service; and,
 - Discharge under conditions other than dishonorable.
- Eligible spouse For Veterans Priority of Service an eligible spouse is/was married to a veteran who:
 - Dies of a service-connected disability or died while a total service connected disability per VA evaluation was in existence:
 - Service member is missing in action, captured or forcibly detained by a foreign power for more than 90 days; or,
 - Veteran has total service-connected disability, per VA evaluation.



Veterans Priority of Service

What does "Veteran's Priority of Service" mean?

- If you have an individual that is a Veteran or a Qualified Spouse of a Veteran, or a transitioning service member they are considered a "Covered Person".
- However, for WIOA Eligibility, the "Covered Person" is not an eligibility factor, the individual must still meet the eligibility for the particular WIOA program (Adult, Dislocated Worker or Youth) to receive "Veteran's Priority of Service".



Veterans Priority of Service

What does "Veteran's Priority of Service" mean?

• If an individual meets criteria, the individual gets front of line service, first opportunity, and if opportunities are limited due to funding, the LWIA/Grantee staff must ensure the "Covered Person" receives services before an individual who does not meet "Veteran's Priority of Service" requirements.



Veterans Status in Career Connect

- The Veterans information is captured on the Veterans tab within the WIOA Application.
- Answer the questions regarding Spouse or Caregiver of a Military Member as applicable.

Spouse or Caregiver of a Military Member Are you the spouse of a member of the armed forces who is on O Yes O No active duty? *Are you a spouse or family caregiver to a member of the armed O Yes 🔘 No forces who is wounded, ill or injured and receiving treatment in a military facility or warrior transition unit? *Are you the spouse of someone in the active duty military Yes No service, National Guard or Reserves who is currently activated? *Are you the spouse of a veteran who has a permanent, total Yes No service connected disability or had the disability at the time of death, or died while the disability was in existence? OR A spouse of a service member on active duty who died or has been Missing In Action (MIA), captured in the line of duty or forcibly detained for a total of more than 90 days?



WOA Veterans Status in Career Connect

Then for the clients Veteran Status, scroll down to the Military Service section and answer the questions as applicable.

Military Service

*Are you currently in the U.S. Military or a Veteran?





WOA Veterans Status in Career Connect

Next scroll down to the Transitioning Service Members and answer the questions as applicable.

Transitioning Service Members

Please indicate your transitioning type and transitioning service member discharge date.

Eligibility for JVSG will not be set until verified.

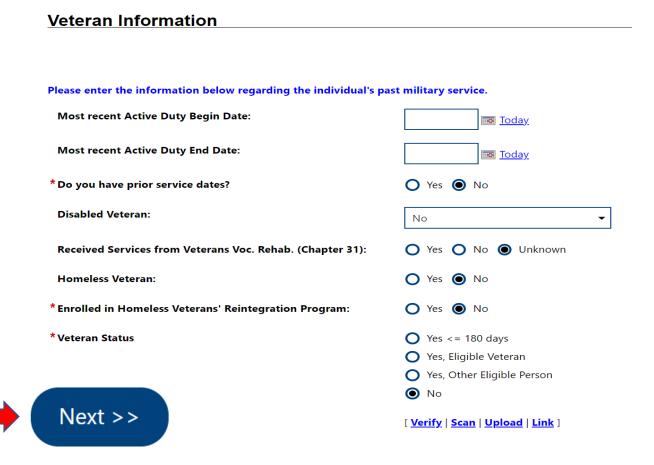
Verification for Transitioning Service Member:

[<u>Verify</u> | <u>Scan</u> | <u>Upload</u> | <u>Link</u>]



WOA Veterans Status in Career Connect

Lastly, scroll down to the Veteran Information and answer the questions as applicable. Once complete, click NEXT to save the information.





WIOA General Eligibility

- In conclusion for all titles of WIOA Eligibility, it is important to realize Protection of Personally Identifiable Information (PII) is of the utmost importance.
- All individuals must meet Authorized to Work in the U.S. criteria.
- It is important to understand the intricacies of Selective Service criteria for any client born a male, who was born on or after 1/1/1960 and has turned age 18.
- Lastly Veteran's Priority of Service is required to be followed for every Department of Labor funded program including but not limited to WIOA.



Questions

- This concludes the presentation on WIOA General Eligibility:
- Please contact your Regional Manager or Project Coordinator for any questions.