



Local Workforce Innovation and Opportunity (WIOA) Policy No. 2023-PL-06

To: All American Job Centers, Delegate Agencies, and Sector Centers

From:

George Wright

George Wright, CEO

Chicago Cook Workforce Partnership

Subject: Selective Service Requirement for WIOA Title 1B Eligibility

Date: March 19, 2024

Purpose:

To define the policy and procedures for Selective Service compliance for delegate agencies using WIOA funds expended under the Chicago Cook Workforce Partnership Workforce Innovation and Opportunity Act (WIOA) contracts.

References:

DOL Training and Employment Guidance Letter No. 11-11, Change 2; DCEO WIOA Policy Letter No. 11-PL-02, DCEO ePolicy Selective Service Policy 5.1.3

Background:

The Chicago Cook Workforce Partnership is releasing the Selective Service policy to ensure accountability and compliance that aligns with DOL and DCEO policy and other applicable rules and regulations.

Policy:

Section 189(h) of the Workforce Innovation and Opportunity Act (WIOA) requires that a determination of the Selective Service registration status of all males be made prior to enrollment in any WIOA Title 1-B funded programs. Local areas shall ensure that each male applicant participating in any local program or activity in the local area or receiving any assistance or benefit under Title 1-B, is in compliance with Sec. 3 of the Military Selective Service Act (MSSA).

Chicago Cook Workforce Partnership Selective Service Registration Policy

It is the policy of the Chicago Cook Workforce Partnership that prior to enrollment in any WIOA service, the delegate agency shall ensure that all male (**the term male refers to gender assigned at birth**) WIOA applicants 18 years of age and born on or after January 1, 1960, have registered with the Selective Service System or have properly documented an acceptable reason why registration did not occur prior to the individual's 26th birthday. In addition, all male youth, who reach their 18th birthday while participating in a WIOA program, must register with Selective Service within 30 days of their 18th birthday (i.e. 30 days before or 30 days after their birthday). The Selective Service website at www.sss.gov should be referenced to support participants through the registration and verification process.

DCEO Selective Service Verification Form #001

All males born on or after January 1, 1960, are required to complete and sign the verification form to determine their status in the Selective Service system and which applicable requirement should be applied. The signed Form #001 must be placed in the customer file and one of the four following procedures must be followed.

1. Selective Service Registration Exceptions

As outlined in DCEO WIOA Policy Letter No. 11-PL-11, Change 2, Selective Service registration is required for all males prior to their 26th birthday unless one of the following conditions is met:

- *U.S. Citizens*
 - a) Males who are serving in the military on full-time active duty;
 - b) Males attending the service academies;
 - c) Disabled males who are continually confined to a residence, hospital, or institution; and/or
 - d) Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, must register within 30 days of being released.

- *Non-U.S. Citizens*, registration is required within 30 days of becoming a resident unless the male falls into one of the following:
 - a) Male who came into this country for the first time after his 26th birthday and can provide one of the following supporting documentations:
 - Date of entry stamp on passport;
 - I-94 stamped with date of entry; or
 - Letter from the U.S. Citizenship and Immigration Services (USCIS) indicating the date of entry to the U.S. presented in conjunction with documentation establishing the individual's age.
 - b) Male who entered the U.S illegally after his 26th birthday and can provide proof that he was not living in the U.S. from age 18 to 25.
 - c) Male on a valid non-immigrant visa.

- **Locally Approved Selective Service Waiver:** The Locally Approved Selective Service Waiver must be used for the above exceptions when the customer did not register. The delegate agency must place a copy of the documentation verifying the exception in the participant's file. Also, agency must record compliance through the selection of the Career Connect status "Locally Approved Selective Service Waiver" along with a case note detailing the determination that is titled "Selective Service." This document can be found as an attachment to this Policy Letter.

2. WIOA Youth Registration Requirements

- a) For youth males that have not reached age 18, and will not within the next 30 days, the Military Selective Service Act (MSSA) is not applicable. Selective Service compliance within Career Connect should be marked "not applicable."

- b) Youth males who reach their 18th birthday while participating in WIOA services must register with the Selective Service within 30 days of reaching his 18th birthday or 30 days after their birthday.
- WIOA Youth delegate agencies must develop effective methods for the tracking of male registrants approaching their 18th birthdays.
 - WIOA Youth delegate agencies will provide male registrants, prior to reaching their 18th birthday, with information on how to access official Selective Service information on the registration requirement and process that they can share with their parents or guardians.
 - WIOA Youth delegate agencies must provide registrants access to resources that will assist in their registration in the Selective Service.
 - Youth males who entered the WIOA Program while under the age of 18 and who do not register with Selective Service within 30 days upon turning 18 will be placed on hold and all active services must be closed until he becomes compliant with Selective Service. No services, including support services, may be provided until the participant becomes compliant with Selective Service. A case note explaining the reason for the hold on services must be written.
 - Costs associated with the delivery of services to male WIOA Youth registrants who failed to comply with the requirement to register with the Selective Service, beyond the 30th day after the 18th birthday will be disallowed.
 - Youth males who continue to be not compliant with Selective Service, 90 days after his services were closed, must be exited from the WIOA Program.
- c) Youth males who comply with Selective Service within 30 days of reaching his 18th birthday or 30 days after their birthday.
- The delegate agency must place a copy of the documentation verifying compliance with Selective Service in the participant's file. This also must be recorded in Career Connect under the customer profile section and selected as "Yes" compliance with selective service.

3. WIOA Registration Requirements for Males between 18 and 26

- a) Male WIOA applicants between the ages of 18 and 26 are required to register and the delegate agency must verify whether the customer has complied with the MSSA and place documentation in the case file.

- i. Verification must be documented in the customer file through collection of one of the documents:
 1. Selective Service Registration Acknowledgement Letter;
 2. Form DD-214, "Report of Separation;"
 3. Screen printout from the Selective Service Verification site, www.sss.gov/Reg/Ver/wfVerification.aspx;
 4. Selective Service Registration Card;
 5. Selective Service Verification Form (Form 3A); or
 6. Stamped Post Office Receipt of Registration.
 - ii. Once verification has been established with the MSSA and the corresponding documentation has been obtained, no further action is necessary, and an otherwise eligible male may participate in WIOA services. Career Connect compliance status should be recorded with a "Yes."
 - iii. Any male between the ages of 18 and 25 unable to register online must complete the fillable registration form. The fillable registration form must be printed, signed, and mailed to Selective Service.
- b) If the male applicant has not complied with MSSA, the contractor must advise them to register with the Selective Service at www.sss.gov and provide documentation of registration.

4. WIOA Registration Requirements for Males 26 Years and Over

Males over 26 years of age that have failed to comply with the MSSA and are no longer able to register to achieve compliance are required to request a Status Information Letter (SIL) through Selective Service.

- a) The applicant must provide documentation that he has contacted MSSA and initiated the request of the SIL by providing a copy of the SIL request form.
 - i. The request for SIL form can be found by accessing www.sss.gov/Status.html and by clicking on "Request for Status Information Letter."
 - ii. The SIL may take 4 to 6 weeks to arrive.
 - iii. A copy of the SIL request must be placed in the customer file.
- b) The delegate agency must interview the customer to determine if knowing and willful failure to register is present.
 - i. Should the failure be deemed **not** knowing and **not** willful, the customer could be granted a local Waiver in order to enroll in services while awaiting the SIL only if 4.d) below applies.

- ii. Should the failure be deemed knowing and willful, the customer must be denied WIOA services. Customers denied access to services due to Selective Service status must be advised of available WIOA grievance procedures as outlined by the Chicago Cook Workforce Partnership.
- c) In those instances where delaying a participant's enrollment services or training would harm the participant's progress through the program, delegate agencies are no longer required to wait for the Status Information Letter (SIL) from the MSSA to determine WIOA eligibility.
- i. For delegate agencies to approve eligibility and enroll the participant prior to receipt SIL, the Workforce Center Manager or Director must approve and sign the attached Waiver as designated by the Chicago Cook Workforce Partnership to ensure justification is present that indicates the participant's failure to register was non-knowing and non-willful.
 - ii. The justification for granting the waiver must be documented and placed in the participant's case file along with a case note in Career Connect documenting the circumstances that is titled "Selective Service."
 - iii. Select "Locally Approved Waiver" for the Selective Service status in Career Connect
 - iv. Upon receipt of the SIL, the delegate agency must examine the letter to determine if the additional information gained indicates that the individual was required to and did not register and now disqualifies the individual from participation in WIOA funded activities.
 - 1. If the failure is deemed knowing and willful, then the participant is no longer eligible for WIOA services and must not receive any further services.
 - 2. Place a copy of the SIL in the customer file.
 - 3. A case note documenting receipt and final determination must be documented in Carer Connect.
- d) If a male who is age 26 or older, is a veteran who served on active duty in the armed forces did not register with Selective Service then the DD 214 - Record of Discharge is the only supporting documentation needed for a "Locally Approved Selective Service Waiver". All males that possess a DD214 between ages 18 and 25 will still be required to register for Selective Service.

Effective Date:

Immediately upon approval