

WORKFORCE ADVISORY

Number: 07-002
Date: 10/26/06
Expiration: Continuing

TO: Division of Business Partnerships' Grantees & Sub-Recipients

SUBJECT: Workforce Investment Act (WIA) Dislocated Worker Participant
Eligibility Policy Number: #340.00

Purpose

The Division of Business Partnerships has published a revision to the Department's Workforce Investment Act (WIA) Dislocated Worker Participant Eligibility Policy #340.00 effective October 26, 2006. This policy defines the target population to serve, and ensures our Dislocated Worker Program concentrates on persons who are out of work because of reduced demand for specific jobs or the obsolescence of specific skills resulting in layoffs or closings.

Background

The Dislocated Worker Program within the WIA is intended to increase the employment, retention, and earnings of eligible individuals and increase occupational skill attainment by participants, resulting in improved quality of the workforce, reduction in welfare dependency, and enhanced productivity and competitiveness of the nation.

Why the revision

- a. ETA TEGL 22-04 dated March 22, 2005 clarified U.S. DOL policy regarding priority of service for veterans and surviving spouses of veterans killed on active duty and issued Department of Labor policy that military service members (non-retirees) being discharged (under honorable circumstances) either voluntarily or involuntarily terminates an employment relationship between an individual and the military and thus falls within the scope of the termination component of the WIA definition of dislocated worker. The separating military personnel must also satisfy the other criteria for dislocated worker eligibility, including the requirement that the individual is "unlikely to return to a previous industry or occupation."
- b. A military spouse who leaves his/her job to follow his/her spouse can be served with dislocated worker funds in certain circumstances.

The Alaska Department of Labor and Workforce Development is an equal opportunity employer/program.
Auxiliary aides and services are available upon request to individuals with disabilities.

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When the spouse is unable to continue an employment relationship because of the service member's permanent change of military station, then the cessation of employment can be considered to meet the termination component of the WIA definition of dislocated worker, as discussed above. The military spouse must also satisfy the other criteria for dislocated worker eligibility, including the requirement that the spouse is "unlikely to return to a previous industry or occupation." When these criteria are met, the military spouse is eligible to be served under the Dislocated Worker Program. Additionally, a military spouse may also qualify to be served as a dislocated worker if he/she meets the definitional requirements for a displaced homemaker. Surviving spouses of veterans and military service members may also be served with WIA funds. If a surviving spouse qualifies as a dislocated worker or displaced homemaker, he/she could be served under the WIA Dislocated Worker Program. If a surviving spouse does not meet those requirements, he/she could be served under the WIA Adult Program.

- c. This policy was revised to: align with current U.S. Department of Labor (DOL) policy; add a veterans' priority of service provision; add definitions for words commonly used in administering the Dislocated Worker Program as well as new ones such as veteran, military spouse and self-sufficiency; include nondiscrimination provisions of WIA section 188; and to bring staff attention to Management Information System (MIS) data entry requirements, MIS data element validation requirements, and the acceptable documents to satisfy each data element validation stipulated in Attachment A of DOL, Employment and Training Administration, Training and Employment Notice (TEN) 9-06, dated August 15, 2006, which can be found at:
http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2265

Any questions regarding this Workforce Advisory should be directed to Michael Lohmann, Program Lead, Division of Business Partnerships, at 907-269-4655 (phone), 907-269-4661 (fax), or mike_lohmann@labor.state.ak.us (e-mail).

/S/

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