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**Operational Guidance 01-2024 – Eligibility and Suitability**

This guide is to provide guidance on screening for eligibility and suitability. While comprehensive, please recognize that it may not encompass every aspect. It remains the responsibility of the program operator and staff to thoroughly review all relevant policies to ensure proper documentation and allowable expenditures.

The best practice is to screen for suitability while screening for eligibility. You may find that while the individual is eligible for a program, they may not be suitable, *at the time*. Career Advisors can provide basic career services to anyone, without enrolling them in a WIOA Title I program. This means you can assist with job search, resume writing, mock interviews, and multiple work readiness activities. Once the individual is suitable and ready, then you can enroll them in a WIOA Title I program.

This allows you to get to know the individual and they have an opportunity to learn more about the commitment they are required to make. This also allows you to give them assignments and see if they are committed to completing them and ready for enrollment.

Some suitability components to consider:

* Assessments: what are they telling you?
  + NCCareers.org, TABE, My Next Move, etc.
* Did the individual attend activities? Appointments?
* Did they complete the assignments?
* Do they already have a credential? Or employable skill? Do they require assistance from the program to gain employment?
* What are their goals for the program?
  + If they just want supportive services – does another agency provide the service?
  + Are their goals achievable?
  + Is the training they want offered locally and is it in demand?
* Do they have extensive barriers?
* Do you need to consult with a partnering agency before finalizing enrollment? (VR, Domestic Violence shelter, etc.)
* Personal life – can they commit?

When assessing an individual for suitability and eligibility, keep the two main goals of the program in mind: training and unsubsidized employment.

Barriers can become overwhelming. The best practice is to pick just one pathway to eligibility. Choose the eligibility pathway that you can most easily document when entering the enrollment case note and ensure it is clearly stated. Other barriers can, *and should,* be added to the Objective Assessment. If a barrier is recorded on the application, it must be verified with documentation.

Adult Eligibility:

* 18 or older,
* A US Citizen,
* Eligible for work,
* Meet Selective Service requirements, if applicable,
* **And** Low income

Dislocated Worker Eligibility:

* 18 or older,
* A US Citizen,
* Eligible for work,
* Meet Selective Service requirements, if applicable
* **And** one of the categories below:
  + Category 1: Terminated or laid off, or has received notice of termination or layoff, **and** is **eligible for or has exhausted entitlements to UC, and** is unlikely to return to previous industry or occupation.
  + Category 2: Terminated or laid off, or has received notice of termination or layoff, **and** has been employed for sufficient duration (based on state policy) to demonstrate workforce attachment, but **is not eligible for UC due to insufficient earnings**, or **the employer is not covered under the state UC law, and** is unlikely to return to previous industry or occupation
  + Category 3: Individual is terminated or laid off, or has received notice of termination or layoff from employment as a result of the **Permanent closure of** or **substantial layoff** at a plant, facility or enterprise
  + Category 4: Individual is **employed** at a facility at which the employer has made a **general announcement that the facility will close**
  + Category 5: Individual was **previously self-employed** (including farmers, ranchers and fishermen), but **is unemployed** due to general **economic conditions** in the community of residence or because of **natural disaster**.
  + Category 6: **Displaced Homemaker**: an individual who has been providing **unpaid services to family members** in the home **and** has been dependent on the income of another family member but **is no longer supported by that income**; or is the **dependent spouse** of a member of the Armed Forces on active duty and whose **family income is significantly reduced** because of a deployment, or a call or order to active duty or a permanent change of station, or the service-connected death or disability of the member; **and** is **unemployed** or **underemployed** and is experiencing difficulty in obtaining or upgrading employment.
  + Category 7: The **spouse of a member of the Armed Forces** on active duty and who is **unemployed** or **underemployed** and who has experienced a **loss of employment as a direct result of relocation to accommodate a permanent change in duty station** of such member
  + Category 8: The **spouse of a member of the Armed Forces** on active duty and who is **unemployed** or **underemployed** and is experiencing difficulty in obtaining or upgrading employment
  + Category 12: **National Dislocated Worker Grant (DWG) eligibility:** individual does not meet the criteria outlined for Dislocated Workers in categories 1-8 above, but is an individual that meets **DWG** eligibility as outlined under WIOA Title ID National programs, Sec. 170 National Dislocated Worker Grants, relating to Sec 170(b)(1)(A) workers affected by major economic dislocations OR Sec 170(b)(1)(B) workers affected by an emergency or major disaster

Youth Eligibility:

* Be a US citizen or eligible non-citizen, and
* A resident of applicable county (Beaufort, Bertie, Hertford, Martin, or Pitt), and
* Meet Selective Service requirements (if applicable), and
* Out-of-School Youth (75% expenditure/enrollment required)
  + Not attending any school (as defined by State Law) Note: Those attending a Title II Adult Literacy Program with no high school credential (High School Equivalency, Adult High School, or English Proficiency) are considered OSY.
  + **16-24 years old**
  + And identified as having one or more of the following barriers:
    - A school dropout
    - Within the age of compulsory school attendance, but not attending school for at least the most recent complete school year calendar quarter
    - A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is
      * Basic skills deficient, or
      * An English language learner
    - An individual who is subject to the juvenile or adult justice system
    - A homeless individual, a homeless child or youth, a runaway, in foster care or aged out of the foster care system, a child eligible for assistance under the Social Security Act, or in an out-of-home placement
    - An individual who is pregnant or parenting
    - A youth who is an individual with a disability
    - A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment

OR

* In-School Youth
  + Attending school (as defined by State Law)
  + **16-21 years old**
  + A low-income individual
  + And identified as having one or more of the following barriers:
    - Basic skills deficient
    - English language learner
    - An offender
    - A homeless individual, a homeless child or youth, a runaway, in foster care or aged out of the foster care system, a child eligible for assistance under the Social Security Act, or in an out-of-home placement
    - Pregnant and parenting
    - A youth who is an individual with a disability
    - An individual who requires additional assistance to complete an educational program or to secure or hold employment

*\*Not more than 5% of In-School Youth may have only the “requires additional assistance to enter/complete educational program or to secure or hold employment” barrier. Sec 129(3)(B)*

Note that the term “low income” is used with respect to an individual, and for Youth, also includes those living in a High Poverty Area. Low income cannot be verified with a Self Attestation.

**Applicable Policies, TEGLs, and other Documents:**

<https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2023/TEGL%2010-23/TEGL%2010-23.pdf>

<https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2022/TEGL%2009-22/TEGL%2009-22.pdf>

<https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2017/TEGL_19-16.pdf>

<https://www.ncworks.gov/admin/gsipub/htmlarea/uploads/Staff%20Guide_06_Programs_WIOA.pdf>

<https://files.nc.gov/nccommerce/documents/files/WIOA-and-Wagner-Peyser-Employment-Act-Participant-Eligibility-Reference-Guide.pdf>

<https://www.commerce.nc.gov/og-09-2021-guidance-eligibility-participation-title-i/open>

<http://riverseastwdb.org/wp-content/uploads/2022/06/2021-34-Residency-Requirements.pdf>

<http://riverseastwdb.org/wp-content/uploads/PY21PolicyUpdates/Priority-of-Service.pdf>

<http://riverseastwdb.org/wp-content/uploads/PY21PolicyUpdates/Youth.Additional-Assistance.pdf>