

WIOA Dislocated Worker Eligibility Requirements Policy

Approved: June 14, 2019

Purpose: To provide program and participant eligibility requirements for Dislocated Worker (DW) services under the Workforce Innovation and Opportunity Act (WIOA).

Policy: All individuals who want to participate in a WIOA program must provide proof of eligibility.

General Eligibility Requirements:

- **Birth Date/Age:** In order to receive WIOA funded activities and/or services in the DW program an individual must be at least eighteen (18) years of age and be determined eligible for the specific program or service.
- **Employment Authorization:** An individual must be authorized to work in the United States to receive WIOA services.
- **Selective Service Registration:** A male individual born after December 31, 1959 must be registered with the U.S. Selective Service within 30 days of their 18th birthday. A male individual who was born after December 31, 1959, is between the ages of 18-26, and has not yet registered with Selective Service should be referred for registration prior to WIOA enrollment. For a male individual who was born after December 31, 1959, and who has not registered with Selective Service, the Service Provider must follow Nevadaworks Failure to Register with Selective Service Policy NWP-3101.

Note: Applicants who are seasonal or temporary layoffs do not qualify as a Dislocated Worker. Those who quit or were fired from a job will not qualify as a Dislocated Worker unless the State Unemployment Insurance Unit rules in favor of the applicant and allows benefits.

The Qualifying Dislocation Date (QDD) must be within 60 months of the WIOA enrollment date with or without stop-gap employment. Documentation must be in the participant file and follow Nevadaworks Technical Guidance [NWG 02-19](#).

Dislocated Worker Eligibility Requirements: (WIOA Sec. 3(15), 3(16), CFR 680.120, 680.130). To be eligible for WIOA DW career and training services, an individual must, in addition to meeting the eligibility requirements for WIOA career and/or training services, meet one of the following criteria (in addition to the State criteria):

Dislocated Worker Category

Category 1: Individual is terminated or laid off, or has received notice of termination or layoff, **and is eligible for or has exhausted entitlements to Unemployment Compensation (UC) and** is unlikely to return to previous industry or occupation.

Category 2: Individual is 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**. Record the last date of self-employment in the Actual Layoff Date.

Category 6: Displaced Homemaker: 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 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.

References:

TEGL 11-11 Selective Service Registration Requirements for Employment and Training Administration Funded Programs
SCP 1.6 Eligibility for Adult and Dislocated Worker Career and Training Activities
SCP 1.8 WIOA Adult Programs Design, Career and Training Service