

Unlikely to Return to Previous Industry or Occupation Definition

Approved: June 14, 2019

Definition: Individual who is unlikely to return to his/her previous industry or occupation.

When determining eligibility of an individual to enroll in a WIOA Title I program for Dislocated Worker (DW), an individual must meet at least one of the following criteria:

- Individual worked in a declining industry or occupation, as documented on State or locally developed labor market statistic lists of such industries or occupations.
- Individual worked in an industry or occupation for which there are limited job orders at the time of eligibility determination.
- Individual is insufficiently educated and/or does not have the necessary skills for reentry into the former industry or occupation, as documented through an in-take orientation process of assessment of the participant's educational achievement levels, testing, or other suitable means.
- Individual has had a lack of job offers as documented by the Service Provider, rejection letters from employers in the area, or other documentation of unsuccessful efforts to obtain employment in the prior industry or occupation.
- Individual cannot return to his/her previous industry or occupation because of physical or other limitations, which prevent reentry into the former industry or occupation, as documented by a physician or other applicable professional (i.e., chiropractor, social worker, psychiatrist, psychologist). In circumstances where support documentation is not available, an applicant self-attestation may be utilized to demonstrate the unlikelihood of return.
- Individual worked seasonally as a temporary or seasonal worker for such reasons as:
 - Change in family situation that required higher income,
 - Disability that precluded returning to the same industry or occupation,
 - Natural disaster that resulted in lost wages,
 - Loss of agricultural land,
 - Mechanization, or
 - Any significant variance to normal seasonal employment patterns resulting in uncertain return-to-work dates.

NOTE: An individual who is laid off on a temporary basis with a specific return date and/or determined by Unemployment Insurance to be attached to an employer does not meet the criteria of unlikely to return to work in a previous industry or occupation.

References:

SCP 1.6 Eligibility for Adult and Dislocated Worker Career and Training Activities