

# WORKFORCE SOLUTIONS

## GREATER DALLAS

<b>Policy Number:</b> CM0121 <i>Rescind CM0418</i>	<b>RE:</b> TWC WD Letters, WIOA Guidelines, WIOA Eligibility Guidelines, WIOA as amended. <a href="http://www.twc.state.tx.us/partners/workforce-policy-guidance#wioa">http://www.twc.state.tx.us/partners/workforce-policy-guidance#wioa</a>
<b>Date Issued:</b> April 1, 2021	<b>Effective Date:</b> April 1, 2021

### Workforce Innovation and Opportunity Act Policies

#### Background

WFSDallas complies with the WIOA, WIOA Guidelines, and WD Letters, as amended. This policy has been updated with language in the WIOA Guidelines, Unlikely to Return to Previous Occupation definition and updates to the American Community Survey, US Census current zip codes for a high poverty area in Dallas County. Changes are noted in bold print.

#### Policy

##### WIOA

**Dislocated Worker and Adult** - Eligibility follows TWC WD Letters, and WIOA Guidelines, as updated. For specific local board definitions, please find the following definitions:

**(1) As defined in Section 680.13(b)(3), unlikely to return to previous occupation**

TWC defines unlikely to return to a previous industry or occupation through an evaluation of the labor market, which determines that:

- The industry or occupation shows either no growth or a decline in available job opportunities as documented by labor market statistics or TWC-approved labor market analyses;
- The individual has been seeking employment for a period of time as determined by board policy – since termination, layoff, or receipt of notice of layoff – but has been unable to find employment in his or her previous industry or occupation due to economic conditions and/or skill limitations.  
**(WFSDallas defines unlikely to return to previous occupation as the individual has been seeking employment for 10 weeks since termination, lay-off, or receipt of notice of layoff and has been unable to find employment in their previous industry or occupation due to economic conditions and/or skill limitations);**
- The individual does not have relevant skills needed to find employment in his or her previous industry or occupation;
- The individual has barriers to employment that make it unlikely to find employment in his or her previous industry or occupation;
- The individual’s previous industry or occupation is unlikely to provide self-sufficiency;
- The individual was profiled and determined likely to exhaust unemployment benefits during the last 12 months; or
- There is a lack of suitable matches in WorkinTexas.com.

**(2) Follow-up as defined in Section 680.150 (c) to clarify how the determination is made to provide follow-up services and consistent with WIOA Section 134 (c)(2)(xiii), which states that follow-up**

**services are provided "as appropriate".** Follow-up services are available to all participants for a minimum of 12 months unless the participant declines to receive follow-up or the participant cannot be located or contacted. This must be documented in the participant's file.

### **(3) Assessments**

If a participant has received a recent assessment (within the past 24 months or completion of a post-secondary degree), no additional assessments are required. The recent assessment must be appropriate for the individual with documentation in the files to meet requirements and to make an eligibility determination for training services.

### **(4) Priority of Service.**

WIOA and TWC guidelines outline priority of services to groups (1-5), with the last priority group being locally defined.

1. Eligible veterans and eligible spouses in accordance with WD 01-21 and defined in WD Letter 25-15 - who are also recipients of public assistance, low income or basic skills deficient.
2. Non-covered persons (individuals who are not veterans, or eligible spouses) who are recipients of public assistance, low income or basic skills deficient in the following order:
  - i. Foster youth and former foster youth (WD Letter 43-11, change 2) as required by Texas Family Code §264.121.
  - ii. Non-foster youth
3. All other eligible veterans and eligible spouses.
4. Priority populations established by the governor and/or Board in the following order:
  - i. All other foster youth and former foster youth, as required by Texas Labor Code §264.121.
  - ii. Local Board priority group: **Individuals living in WIOA high poverty area by zip code of at least 25%, as defined and updated by the American Community Survey, US Census.**
5. Non-covered individuals outside of the groups given priority under WIOA.

## **WIOA**

### **Youth**

**Youth Eligibility and Requiring Additional Assistance.** In keeping with TWC guidance, only 5% of in-school youth may qualify under this barrier. In compliance with Section 681.310, WFSDallas defines requiring "additional assistance to complete an educational program or to secure and hold employment" as an individual who:

- lacks employability skills to obtain/retain employment, or
- having one or more parents incarcerated, or
- youth whose parents have never attended post-secondary education, or demonstrated inability to hold a job for at least six months.

### **High Poverty Geographic Areas**

**A youth living in a high poverty area is automatically considered low income. In accordance with WIOA Guidelines, a high poverty rate is a census tract, a set of contiguous census tracts, Native American Reservation, tribal land, or Native Alaskan Village or county that has a poverty rate of at least 25%, as set by the US Census American Community Survey. Using US Census data, Contractor must document the high poverty rate through the use of US Census tract data. WFSDallas identified current zip codes within Dallas County with at least 25% poverty rates which includes: 75247, 75246, 75141, 75210, 75226, 75216, 75237, 75241, 75215, 75172, 75203, 75217, 76011, 75212, 75232. Documentation must be provided in accordance with the Texas Workforce Commission's WIOA Guidelines and Documentation log.**

**Action Required**

This policy should be distributed to all affected staff, contractors, and other interested parties.

**Contact**

Inquiries regarding this policy should be directed to **Connie Rash, Senior Vice President, Resource Development and Deployment at 214.290.1008.**

<b>Approved for Content:</b>	
<i>Connie Rash</i>	4/1/2021
<b>Signature</b>	<b>Date</b>
<i>Laura Paula Garcia</i>	4/1/2021
<b>President's Signature</b>	<b>Date</b>