

Definitions

NORTEC GLOSSARY WORKFORCE INVESTMENT ACT

Last updated:12/08/2011

The following are NoRTEC WIB and Governing Board approved definitions and implementing instructions for key terms and concepts for Title I programs under the Workforce Investment Act.

Advanced Training (WIAB01-121 (WIA, Job Training Automation System, Client Forms Handbook, May 2002))

Advanced training is an occupational skills and employment or training program, not funded under WIA Title I, which does not duplicate training received under WIA Title I. Advanced training does not include training funded partially or wholly with WIA funds. An example of advanced training is a community college program that does not lead to an advanced degree.

Training that leads to an academic degree (e.g., AA, AS, BA, BS) should be categorized as post-secondary education, and not reported as advanced training.

Update on Youth who enter the Job Corps program (04/11/2006, per Phil Teeters at EDD in an e-mail):

Job Corps is a vocational education program for which an "Entered Advanced Training" outcome (exit) may be taken.

1. The Youth may remain concurrently enrolled in WIA while participating in Job Corps, until he/she obtains his/her "Job Corps Certificate." The exit code would be "Entered Advanced Training," with the notation that the youth earned an "Occupational Skills Certificate;" **OR**
2. If the youth is exited with an "Entered Advanced Training" outcome and receives a Job Corps certificate within nine months of exiting the WIA program, credit any also be taken for obtaining an "Occupational Skills Certificate" (which would be documented on a follow-up contact form in the NoRTEC MIS system).

Age (WIA, Sections 101(1), 134(d)(3), 101(13))

Title I Adult Program	Section 101(1)	18 or Older
Title I Dislocated Worker Program	Section 134(d)(3), State Policy	18 or Older
Title I Youth Program	Section 101(13)	14-21

Applicant Statements (NoRTEC Policy)

A signed [statement](#) by the individual applying for programs and services that will be utilized to document eligibility for the WIA program.

Note: Applicant Statements may be accepted for all eligibility criteria, except when documenting an individual's right-to-work. In that instance, only [I-9](#) level of documentation may be accepted.

Application (Regs Sections 663.105, 664.215)

The process for collecting information for supporting a determination of eligibility. All adults and dislocated workers who receive services funded under Title I of WIA, other than self-service or information or informational activities (Core A Services), must fill out an application, be determined eligible, and then enroll into the WIA program.

Note: Equal Employment Opportunity (EEO) data must be collected on individuals during the application process (e.g., age, sex, race/ethnicity, and disability). (Ref: 20 CFR 663.105)

Point of Clarification: Under JTPA, the word "registration" was utilized for purposes of defining the application/eligibility determination process. Under WIA, the word "registration" is synonymous with enrollment into the WIA program, not with the application and eligibility determination process. To attempt to avoid confusion, NoRTEC and its contractors will utilize the words "application" and "enrollment."

Attachment to the Workforce (NoRTEC Policy)

Has worked at least three (3) consecutive months during the last twelve (12).

Basic Literacy Skills Deficient (WIA, Sections 203(12), 101(19), 101(13); NoRTEC Policy)

Basic Literacy Skills Deficient shall be defined as:

- (a) Computes or solves, reads, writes or speaks English below grade level 9.0; or
- (b) ~~Lacks basic life skills and/or basic computer skills as demonstrated by the individual's performance of basic tasks at or below the benchmark levels established on NoRTEC's functional skills competency tests (Basic Life Skills /Computer Literacy).~~

Item B is no longer a valid barrier for eligibility as of 07/01/2008, due to the move to compute performance based on the common measures.

Basic Skills Deficient (WIA, Section 101(4))

This definition is used ONLY when determining if a youth is to be served under the "5% Window" as an individual who is basic skills deficient or when determining whether an eligible youth is an basic skills deficient for purposes of determining their "out-of-school youth" status:

An individual who has English reading, writing, or computing skills below grade level 9.0 on a generally accepted standardized

test or a comparable score on a criterion-referenced test.

Below Grade Level (WIA, Section 129(c)(5)(C))

Individuals with educational attainment that is one or more grade levels below the grade level appropriate to the age of the individuals.

Citizenship/Right to Work (WIA, Section 188(5); NoRTEC Policy)

Participation in programs and activities financially assisted in whole or in part under the Workforce Investment Act is open to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

Documentation of Right-to-Work Status within NoRTEC funded programs will require collecting copies of **updated I-9 level of documentation.**

Corroborative Witness (Directive, State of California, [WIAD04-18](#); NoRTEC Policy)

A person who personally knows or can identify the WIA applicant and who is reasonably likely to be able to verify the applicant's statement. Such verification may be accomplished by the witness signing an [Applicant Statement Form](#) or by the completion of a [Telephone Verification/Document Inspection Form](#).

Note: In taking an applicant statement, it is not necessary to obtain collaboration unless there is reason not to believe the applicant.

Customized Training (WIA, Sections 101, 134, 136, 181, 188; Regs, Sections 663.300-663.320, 663.700-663.710, 663.715-663.720, 665.220, 667.272-667.275; NoRTEC Policy)

Customized Training is training:

- that is designed to meet the special requirements of an employer (including a group of employers);
- that is conducted with a commitment by the employer to employ an individual on successful completion of the training; and
- for which the employer pays for not less than 50 percent of the cost of the training.

Please see the following expanded NoRTEC Policy Statement for [Customized Training](#)

Difficulty in Obtaining or Upgrading Employment (NoRTEC Policy)

Difficulty in Obtaining or Upgrading Employment is defined as:

- An [underemployed](#) individual in a job limited to one or more part-time jobs; or
- Short-term (four months or less) jobs within the year prior to application which were for the purpose of income maintenance rather than a career path; or
- An unemployed individual who was terminated from employment within the 12 months prior to application; or
- An unemployed or [underemployed](#) individual who has not worked full time (30+

- hours/wk) for more than 13 consecutive weeks); or
- An unemployed or [underemployed](#) individual who has inadequate basic education skills and/ or occupational skills related to an employment goal; or
- An unemployed or [underemployed](#) individual who has one or more substantial barriers to employment.

Note: The standards for barriers to employment used by the CalWORKS program should be used as benchmarks for determining if the unemployed or underemployed individual is experiencing difficulty in obtaining or upgrading employment. These barriers to employment include: no high school diploma or GED; language (ESL); legal problems (arrest record); alcohol/substance abuse; health/physical limitations; limited work history; medical conditions; emotional problems; personal or family issues.

Disability

Please see entry under "Individual with a Disability"

Dislocated Worker (WIA, Section 101(9); Directive, State of California, [WIAD04-18](#); NoRTEC Policy)

Dislocated Workers are individuals who:

- A. Have been terminated or laid off, or who has received a notice of termination or layoff, from employment; **and**
Is eligible for or has exhausted entitlement to unemployment compensation **or** has been employed for a duration sufficient to demonstrate [attachment to the workforce](#), but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; **and**
Is [unlikely to return](#) to a previous industry or occupation.
- B. Have been terminated or laid off, or have received a notice of termination or layoff, from employment as a result of any permanent closure of, or any [substantial layoff](#) at, a plant, facility, or enterprise; **or**
Is employed at a facility at which the employer has made a [general announcement](#) that such facility will close within 180 days; **or**
For purposes of eligibility to receive services other than training services described in Section 134(d)(4), intensive services described in Section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.
- C. Were self-employed (including employment as a farmer, a rancher, or a fisherman) but is [unemployed](#) as a result of [general economic conditions](#) in the community in which the individual resides or because of natural disasters.
- D. Are Displaced Homemakers.
- E. Has voluntarily terminated employment, and is receiving, or has been determined eligible to receive unemployment compensation or has subsequently exhausted entitlement to unemployment compensation since terminating employment voluntarily, and is unlikely to return to a previous industry or occupation.

Note 1: An individual who has not been enrolled in the WIA program remains eligible for assistance after dislocation as long as the individual has:

- *Not been employed in a job since dislocation that paid a wage defined by the*

- NoRTEC WIB as self-sufficient or leading to [self-sufficiency](#): or
- Been engaged only in [stopgap employment](#). (If the employment the individual is engaged in is determined to be "stopgap," then the wage earned by the individual is irrelevant for eligibility determination purposes; the individual is to be considered as [not employed](#).)

*Note 2: Once an individual is enrolled in the WIA program as a dislocated worker, the individual **remains** a dislocated worker until exited from the program regardless of employment status or earnings. If the participant becomes employed in a full-time, permanent job that pays a wage defined by the NoRTEC WIB as self-sufficient or leading to [self-sufficiency](#), the participant may continue to be served in the program until he/she is formally exited from the program.*

Displaced Homemaker (WIA, Section 101(10))

An individual who has been providing unpaid services to family members in the home **and** who has been dependent on the income of another family member but is no longer supported by that income; **and** is [unemployed](#) or [underemployed](#) and is experiencing [difficulty in obtaining or upgrading employment](#).

Documentation (NoRTEC Policy)

The maintenance of physical evidence, in participant files, that is obtained during the eligibility determination process. Such evidence may include copies of first source documents, completed [Telephone/Document Inspection Forms](#) (collateral contacts), and signed [Applicant Statement Forms](#).

Eligibility Documentation and Enrollment (Directive, State of California, WIAD04-18; NoRTEC Policy Statement)

Please see the following expanded NoRTEC Policy Statement for [WIA Eligibility Documentation and Enrollment](#).

Eligible Training Provider List (ETPL) (NoRTEC Policy; WIA, Section 134(d)(4)(F))

NoRTEC utilizes an internet based, on-line Vendor application web site to solicit, accept and display Vendors approved for providing NoRTEC WIA financed training for WIA enrolled One Stop clients. Click on the following website address to view the *NCEN Eligible Training Provider List*: [/vendor/vendor_start.html](#)

This web site includes a full explanation of requirements and expectations, as well as a searchable list of "pending, approved and archived" Vendors.

The Workforce Investment Act (WIA) of 1998 requires that customers of One-Stop Centers must have access to a state approved list of eligible training providers. Following is the web site address to view the State of California's ETPL: <http://etpl.edd.ca.gov/wiaetplind.htm>

Please note, however, that NoRTEC WIA funds may **not** be spent on a training program unless they are on the *NCEN Eligible Training Provider List*.

Eligible Youth (WIA, Section 101(13); NoRTEC Policy)

An eligible youth is an individual who:

- Is not less than 14 and not more than 21; and
- Is a low-income individual; and
- Is one or more of the following:
 - Deficient in basic literacy skills
 - A school dropout
 - Homeless, a runaway, or a foster child
 - Pregnant or a parent
 - An Offender
 - An individual who **requires additional assistance to complete an educational program, or requires additional assistance to secure and hold employment**

Note: Up to five (5) percent of participants served by the WIA Youth Program may be individuals who do not meet minimum income criteria if they are within one or more of the following categories:

- *School dropout*
- *[Basic skills deficient](#) (as defined in WIA Section 101(4))*
- *Are one or more grade levels below the grade level appropriate to the individual's age*
- *Pregnant or Parenting*
- *Possess one or more disabilities, including learning disabilities*
- *Homeless or runaway*
- *Offender*
- *Face [Serious Barriers to Employment](#) as defined by the NoRTEC WIB.*

This five percent exception will also be referred to as the "5% Window."

Employed (DOL's WIA Title I-B Standardized Record Data (WIASRD), Item 115; Directive, State of California, [WIAD04-18](#))

An employed individual is one who is currently working as a paid employee or who works in his or her own business, profession or farm, or works 15 hours or more as an unpaid worker on a farm or in an enterprise operated by a member of the family, or is one who is not working, but has a job or business from which he or she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, whether or not paid by the employer for time off, and whether or not seeking another job.

Note: This information is to be collected from the registrant at registration, not from wage records.

Also see [Not Employed](#).

Entered Employment (NoRTEC Policy)

Following are the criteria that need to be met, in order to report an "Entered Employment" outcome in NoRTEC's MIS system:

Adults, Dislocated Workers, and Older Youth (aged 19-21 at initial enrollment)

An "entered employment" may be reported for an Adult, Dislocated Worker, or Older Youth (age 19-21) when the individual is working 30 or more hours per week, in a paid, unsubsidized position. This includes individuals who enter the military or a qualified apprenticeship program.

Younger Youth (aged 14-18 at initial enrollment)

An "entered employment" maybe reported for a Younger Youth (age 14-18) when the individual is working 10 or more hours per week, in a paid, unsubsidized position. This includes individuals who enter the military or a qualified apprenticeship program.

Family (WIA Section 101(15b); NoRTEC Policy)

Two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- A husband, wife, and dependent children.
- A parent or guardian* and dependent children.
- A husband and wife.

*Note: Guardian is to be defined as LEGAL guardian.

Note: Additional policy is required to determine if older youth, aged 18-21, who are not full-time students in a secondary school or equivalent, and are living in a single residence with their parent(s) or guardian(s) are to be considered part of the family for income determination purposes (which includes a determination of family size). Following is NoRTEC's policy if the older youth is part of the family:

If an applicant is 18-21, and is living with one or more parent(s) or guardian(s), and will be claimed as a dependent for income tax purposes in the calendar year in which eligibilty is determined, he/she will be considered part of the "family." If the applicant is determined to be part of the family, then the total income for the family size will be calculated.

If the applicant is not considered to be part of the "family," he/she will be considered a "unit of one." Only the income of this individual will be considered in the calculation.

Followup Contacts (Directive, State of California, [WIAD02-13](#); NoRTEC Policy)

Effective July 1, 2005, follow-up contacts in the first, second, third, and fourth quarters after exit will be conducted by NoRTEC WIA Service Providers and documented in the MIS, for all adult and dislocated worker participants that were employed on the date of exit from the WIA program. This requirement includes participants enrolled in special projects funded under 25 Percent Additional Assistance Grants.

Followup Services

General Announcement (NoRTEC Policy)

A media article or public notice documenting an employer's intent to close.

General Economic Conditions (NoRTEC Policy)

For the purposes of defining "general economic conditions" for Dislocated Worker eligibility for the self-employment, the following definition will apply:

- A business lost due to the closure or substantial layoff of a primary supplier or primary customer affecting the self-employed applicant's products or services; or
- A business lost because the product/occupation has little demand within the community or has been declining; or
- A business lost because of increased non-labor production costs which are out of the control of management (i.e. energy costs); or
- A business lost because of natural disasters as defined in the Federal Disaster Unemployment Assistance (DUA) program or by State declaration.

Note: As defined by DUA, a major disaster means any hurricane, tornado, storm, flood, high water, wind-driven water or tidal wave, earthquake, drought, fire, or other catastrophe declared by the President to warrant government assistance to communities and individuals.

Guardian (Directive, State of California, [WIAD02-11](#))

~~The term "guardian" includes caregiver relatives. The term applies to situations where an older or younger youth is permanently or indefinitely residing with a family member other than his or her parents or legal guardians.~~

This definition has been removed from the State's Eligibility TAG (see [WIAD03-5](#) for link to PY 2003-04 TAG).

Homeless (WIA,Section 101(13)(C)(iii); Stewart McKinney Homeless Assistance Act, Section 103)

An individual who lacks a fixed, regular, and adequate nighttime residence; and who has a primary nighttime residence that is:

- A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill); **or**
- An institution that provides a temporary residence for individuals intended to be institutionalized; or a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.

I-9 Level of Documentation (NoRTEC Policy)

In order to document a WIA applicant's right-to-work in the United States, copies of [I-9](#) level of documentation must be collected and placed in the participant file. Applicant statements in lieu of I-9 level of documentation are not acceptable.

Individual with a Disability (WIA,Section 101(17); Regs 664.250; Americans with Disabilities Act of 1990, Section 3)

An individual with a disability is one who has a physical or mental disability which, for such individual, constitutes or results in a substantial handicap to employment.

Note: Suggested definition for substantial handicap to employment: A loss of occupational

choices of a class or group of jobs due to a disability (i.e., significant diminishment of occupational choices).

Individual Service Strategy (ISS)/Individual Employment Plan (IEP) (WIA, Section (c) (1)(B); NoRTEC Policy)

A service strategy shall identify an employment goal (including, in appropriate circumstances, nontraditional employment), appropriate achievement objectives, and appropriate services for the participant taking into the account the [objective assessment](#).

Note: All participants that are receiving WIA funded training services or services funded by non-WIA sources but overseen (case managed) by a WIA funded staff position, must have an ISS/IEP contained in his/her file.

Individual Training Accounts (ITAs) (NoRTEC Policy)

An "Individual Training Account (ITA)" is voucher used by the WIA service provider to pay for (or obligate) the occupational classroom training costs of an individual NoRTEC adult WIA client.

1. The ITA is for tuition costs only. All other training related costs may be paid for, but they are not a part of the ITA.*
2. The dollar amount of each ITA varies based on local WIA service provider determination (done on a case-by-case basis) and identified tuition costs, but shall not exceed \$7,500 per participant without prior approval by NoRTEC.
3. The ITA may only be redeemed by schools and vendors for programs that meet both the NCEN Vendor procurement requirements and the State requirements for inclusion on the State ETPL (Eligible Training Provider List).

It is the responsibility of the WIA service provider to appropriately monitor a WIA client's progress in occupational classroom training ("appropriately monitor" is defined as a minimum of once each calendar month), and assure timely collection of tuition refunds (as outlined in the training vendor's refund policy) when a client is unable/unwilling to complete the training program. Note: This responsibility for collection only applies to tuition payments which are made with WIA funds.

*Note: To address the need for health care workers in California, ITAs for health care workers shall include tuition costs, but may also include all other training related costs. As with all other ITAs in NoRTEC, the amount of the ITA will vary based on local WIA service provider determination, but shall not exceed \$7,500 per participant without prior approval from NoRTEC. The responsibility for collection of tuition refunds applies to health care worker ITAs, but shall be consistent with NoRTEC policy noted above in that the collection applies only to the tuition payments made with ITA funds; all other training related costs are not subject to the aforementioned collection requirements.

Internships (NoRTEC Policy)

A planned, structured learning experience that is provided through contractual supervised worksite training by an employer in the public, private nonprofit, or private sector.

An Internship will not generally exceed 1,040 hours and will be designed to provide the experience needed to explore careers and to secure higher paying, higher skilled employment.

Labor standards apply in any internship where an employee/employer relationship, as

defined by the Fair Labor Standards Act, exists

There is no expectation that the trainee will be retained in employment after the training period.

Low Income Individual (WIA, Section 101(25))

An individual who:

- A. Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program; **or**
- B. Received an income, or is a member of a family that received a total family income, for the six (6) month period prior to application for the program involved that, in relation to family size, does not exceed the higher of:
 - The poverty line, for an equivalent period, **or**
 - 70 percent of the lower living standard income level (LLSIL) for an equivalent period, **or**
- C. Is a member of a household that receives (or has been determined within the six (6) month period prior to application for the program involved to be eligible to receive) food stamps; **or**
- D. Qualifies as a homeless individual; **or**
- E. Is a foster child on behalf of whom State or local government payments are made; **or**
- F. Is an individual with a disability whose own income meets the requirements in Item A or B above, but who is a member of a family whose income does not meet such requirements.

Lower Living Standard Income Level (LLSIL)

Income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary based upon the most recent "lower living family budget" issued by the Secretary. Click on the following link for the [2010 LLSIL Guidelines](#).

Maintenance of Effort (WIA, Section 181(b); Regs, Section 667.270; NoRTEC Policy)

A participant in a WIA program or activity shall not be placed with an employer if:

1. The activity displaces a currently employed employee;
2. Any other individual is on layoff from the same or any substantially equivalent job;
3. The employer has terminated the employment of any regular employee or otherwise reduced the workforce with the intention of filling the vacancy with a WIA participant; or
4. The activity is created in a promotional line that will infringe upon the promotional opportunities of current employed individuals.
5. The activity impairs an existing contract for services or collective bargaining agreement (unless written concurrence of the labor organization and the employer are obtained).

NoRTEC Policy further clarifies the maintenance of effort issue with the following:

1. If there have been no layoffs at a worksite within the 30 days prior to a participant's proposed start date at the worksite, then it may generally be assumed that none of the conditions in items 1-4 above have occurred.
2. If there have been layoffs at a worksite in the 30 days prior to the participant's proposed

start date at the worksite, the participant may still be placed at the worksite if it can be documented that his/her duties are not the same or substantially equivalent to the duties of the employee that was recently laid-off.

3. Documentation of appropriate maintenance of effort issues shall be contained in the Worksite Agreement or the participant file.

Not Employed (DOL's WIA Title I-B Standardized Record Data (WIASRD), Item 115; Directive, State of California, [WIAD04-18](#))

An individual who does not meet the definition of [employed](#) or who, although employed, has received notice of termination of employment, or has been engaged in stopgap employment since dislocation.

Objective Assessment (WIA, Section 129(c)(1)(a))

An assessment of the academic levels, skill levels, and service needs of each participant, which shall include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including interests and aptitudes for nontraditional jobs), [supportive service needs](#), and developmental needs.

Offender (WIA, Section 101(27))

Any adult or juvenile:

- A. Who is or has been subject to any stage of the criminal justice process, for whom services under this Act may be beneficial; **or**
- B. Who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.

On-the-Job Training (OJT) (WIA, Sections 101(31), 134, 136, 181, 188; Regs Sections 663.300-663.320, 663.700-663.710, 667.272, 667.275; NoRTEC Policy)

The term "on-the-job training" means training by an employer that is provided to a paid participant while engaged in productive work in a job that:

- A. provides knowledge or skills essential to the full and adequate performance of the job;
- B. provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training; and
- C. is limited in duration, as appropriate, to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate.

Please see the following expanded NoRTEC Policy Statement for [OJT](#).

Out-of-School Youth (WIA, Section 101(33); DOL's TEGL 14-00, Change 1; Directive, State of California, [WIAD04-18](#))

Out-of-School Youth are defined as all [eligible youth](#):

- Except those who are attending any school and have not received a secondary school diploma or its recognized equivalent; and
- Except those who are attending post-secondary school and are not basic skills deficient.

Note: The wording used above is from the the DOL's TEGL 14-00, Change 1. The following "help" has been provided by Maria Weidmark, DOL Region VI, as a fact sheet to assist with the determination of a youth's status regarding "in" or "out" of school:

1. A youth attending secondary (middle or high) school is always an in-school youth.
2. A youth who is a high school dropout is always an out-of-school youth.
3. A youth who is attending an alternative school (e.g., continuation high school) is an in-school youth.
4. A youth who is a high school graduate (or has attained a GED) and is attending post-secondary education is an out-of-school youth if he/she is basic skills deficient. If he/she is NOT basic skills deficient, he/she is an in-school youth.
5. A youth who is a high school graduate (or has attained a GED) and is not attending post-secondary education is an out-of-school youth if he/she is basic skills deficient or unemployed or underemployed. If he/she is NOT basic skills deficient or unemployed or underemployed, then he/she is an in-school youth by default.

Placement (NoRTEC Policy)

See "Entered Employment."

Poor Work History (NoRTEC Policy)

An individual who has not worked at least three (3) consecutive months in the past twelve (12) is defined as having a "poor work history."

Poverty Level (HHS Poverty Guidelines)

Income level at which families are considered to live in poverty, as annually determined by the Department of Health and Human Services. Click on the following link for the [2010 HHS Poverty Guidelines](#).

Pregnant or Parenting (WIA, Sections 101(13), 129(c)(5)(D))

An individual (not less than 14 and not more than age 21) who is pregnant or a youth (male or female) who is providing custodial care for one or more dependents under the age of 18.

Priority System (WIA, Section 134(d)(4)(E); Regs, Section 663.600(b); DOL's TEGL 05-03)

Core Service in NoRTEC are universal and available to all job seekers. In the event that funds allocated to a local area for adult employment and training activities are limited, priority for intensive and training services funded with Title I Adult funds shall be given to veterans, and recipients of public assistance and other low-income individuals in the local area.

Per NoRTEC Policy, intensive and training services shall be considered "limited" when there are immediate competing demands for these resources.

When these resources are limited, service priority shall go to residents of the NoRTEC geographic area shall first go to veterans, and then to welfare recipients and/or those individuals whose income is at or below the poverty level.

Public Assistance (WIA, Section 101(37); Directive, State of California, [WIAD04-18](#))

The term public assistance means federal, state or local government cash payments for which eligibility is determined by a needs or income test. The statutory definition of public

assistance contains a two-part test:

- (1) the program must provide cash payments, and
- (2) eligibility for the program must be determined by a needs or income test.

Requires Additional Assistance to Complete an Educational Program (NoRTEC Policy, Sixth Youth Eligibility Criterion)

An individual:

- (a) Who is attending an alternative school/education program; or
- (b) Who is credit deficient; or
- (c) Whose educational achievement is below expected levels; or
- (d) Who has past attendance and/or discipline problems; or
- (e) Who is at risk of dropping out of school, as identified by a referral from a school staff person, probation officer, or other responsible person documenting chronic attendance or discipline problems, or educational underachievement, and/or other indications which have been adopted by the Local Education Agencies (LEAs); or
- (f) Who has unstable living conditions; or
- (g) Who is on academic probation.

Requires Additional Assistance to Secure and Hold Employment (NoRTEC Policy, Sixth Youth Eligibility Criterion)

An individual who

- (a) has never held a job; or
- (b) has been fired from a job within the 12 months prior to application; or
- (c) has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks.

School Dropout (WIA, Section 101(39); Regs, Section 664.310)

An individual who is no longer attending any school and who has not received a secondary school diplomas or its recognized equivalent.

Note: Youth enrolled in alternative schools are not dropouts. A youth's dropout status is determined at the time of application.

Selective Service/Military Status (WIA, Section 189(h))

Each individual participating in any program or activity established under WIA, or receiving any assistance or benefit under WIA, must comply with Section 3 of the Military Selective Service Act.

All males who are at least 18 years of age and born after December 31, 1959, and who are not in the armed services on active duty must be registered. Click on the following website address for more information on who must register: <http://www.sss.gov/FSwho.htm>

Click on the following to determine "Knowing and Willful" Failure to Register: [/tb/Eligibility/SelectiveService.html](http://tb/Eligibility/SelectiveService.html)

Note: A youth who becomes 18 years of age while participating in a WIA program must register within 30 days of his 18th birthday; otherwise, he will become ineligible for services and must be exited from the program.

Note: For information pertaining to on-line access to DD 214 forms (Certificate of Release or Discharge from Active Duty), see "Veteran" below.

Self-Sufficiency (WIA, Section 134(d)(3)(A)(ii); Regs, Section 663.230; NoRTEC Policy)

Local WIBs (in California) must set criteria for determining whether employment leads to self-sufficiency. At a minimum, such criteria must provide that self-sufficiency means employment that pays at least the lower living standard income level (see reference above). Per NoRTEC Policy, *Self-Sufficiency* shall be defined as: Per hour earned wages, including regular overtime, that is at or above the self-sufficiency threshold of **\$18*** per hour for full time employment, which is defined as at least 35 hours per week. (This is to be applied to the individual person who is applying for services, not the family.)

Note: In recognition of the urgent need for health care workers, and NoRTEC's need to provide training for Health Care workers, NoRTEC waives the self sufficiency upper income limit for training Health Care workers. (Adopted 01/27/2005)

****Dollar amount changed from \$15 to \$18 per hour. Adopted by WIB and Governing Board on 01/24/2008, retroactive to 12/01/2007.***

Note: In recognition of emerging "green" industries, and the State and Federal emphasis on developing and implementing training programs for "green" jobs, NoRTEC waives the self sufficiency upper income limit for training "green" workers.

"Green" industries/occupations may be identified by accessing one or both of the following:

http://www.onetcenter.org/green.html?p=2/wired/nrcrn_renewable_energy_report_final_1-8-09.pdf
(list begins on Page 15 of the above referenced report)

Adopted by the WIB and Governing Board on 04/22/2010, retroactive to 01/01/2010.

Serious Barriers to Employment (NoRTEC Policy)

Serious barriers to employment is defined by the NoRTEC WIB as a youth:

- who is attending an alternative school/education program; or
- who is credit deficient; or
- whose educational achievement is below expected levels; or
- has past attendance and/or discipline problems; or
- who is at risk of dropping out of school, as identified by a referral from a school staff person, probation office, or other responsible person documenting chronic attendance problems, or educational underachievement, and/or other indications which have been adopted by the Local Education Agencies (LEAs); or
- who has unstable living conditions; or
- who is on academic probation; or
- who has never held a job; or
- who has been fired from a job within the 12 months prior to application; or
- who has never held a full-time job (30+ hours per week) for more than 13 consecutive weeks.

Staff Qualifications (NoRTEC Policy)

Client Services Staff

Following are the minimum qualifications for staff members serving job seekers:

High School Diploma or AA/AS Degree, and attainment of one of the following:

- Registered Career Paraprofessional¹
- Global Career Development Facilitator²
- Job and Career Transition Coach³
- Certified Workforce Development Professional with Job Seeker Endorsement⁴
- National Workforce Professional⁵

¹This certification was granted through the California Registry and expires in 2010. The Registry Board has made the decision to not take any more applications or make renewals for the paraprofessionals.

²This certification is granted through the Center for Credentialing and Education.

³This certification is granted through the Career Planning and Adult Development Network.

⁴This certification is granted through the National Association of Workforce Development Professionals.

⁵This certification is granted through the Dynamic Works Institution and requires completion of all courses in Tier I, a passing grade on the Tier I exam, and completion of three courses in Tier II.

Business Services Staff

Following are the minimum qualifications for staff providing business services:

High School Diploma or AA/AS Degree, and attainment of one of the following:

- California Accredited Consultant¹
- SHRM Essentials of Human Resource Management Certificate²
- Certified Workforce Development Professional with Business and Employer Services Endorsement³

¹This certification is granted through the California Staffing Professionals.

²This certification is granted through the Society for Human Resource Management.

³This certification is granted through the National Association of Workforce Development Professionals.

Stopgap Employment (Directive, State of California, [WIAD04-18](#))

Stopgap employment means work an individual does only because he has lost the customary work for which his training, experience or work history qualifies him (see [underemployed](#)). Employment would be considered "stopgap" if the salary were substantially below the salary of the individual's primary occupation and/or if he is working substantially under the skill level of his customary occupation (adapted from [kansasjobs.org](#)).

There may be times when stopgap employment provides a self-sufficient wage, e.g., contract employment or employment obtained through a temporary employment services agency. Such employment would not change the individual's dislocated worker status. The determination about whether or not an individual's employment since dislocation is stopgap employment must be made on a case by case basis and take into consideration an individual's personal, family, financial, and employment situation. (Individuals engaged in stopgap employment are reported as [not employed](#).)

Substantial Layoff (NoRTEC Policy)

- The layoff of 1-499 employees who comprised at least one third of the workforce, excluding temporary or intermittent employees; or
- The layoff of 500 or more employees at a single site.

Supportive Services (WIA, Section 101(46); NoRTEC Policy)

Services such as transportation, child care, dependent care, housing, etc. that are necessary to enable an individual to participate in activities under the Workforce Investment Act.

NoRTEC Policy requires that a financial needs analysis be performed for each participant prior to the provision of WIA funded supportive services. (The needs analysis must document that the participant has a "financial need" for such a service.)

Please see the following expanded NoRTEC Policy Statement for [Supportive Services](#).

Underemployed (DOL TEGL 14-00, Change 1; Directive, State of California, [WIAD04-18](#))

Underemployed means an individual who is:

- working part time but desires full time employment; or
- working in employment not commensurate with the individual's demonstrated level of educational attainment.

Unemployed Individual (~~WIA, Section 101(47)~~) WIA Title I-B Standardized Record Data (WIASRD), Item 115; Directive, State of California, [WIAD04-18](#))

~~An unemployed individual is one who did not work during the seven consecutive days prior to application, who made specific efforts to find a job within the past four weeks prior to application, and who was available for work during the seven consecutive days prior to application. Also included as unemployed are those who did not work, and (a) were waiting to be called back to a job from which they had been laid off, or (b) were waiting to report to a new wage or salary job scheduled to start within 30 days.~~

See definition of [Employed](#) or [Not Employed](#).

Unemployment Compensation Claimant (WIA Information Bulletin, [WIAB01-121](#), WIA Client Forms Handbook, Application Form, Item 63)

An individual who is currently receiving unemployment compensation.

Unemployment Compensation Exhaustee (WIA Information Bulletin, [WIAB01-121](#), WIA Client Forms Handbook, Application Form, Item 63)

An individual who was receiving unemployment compensation, but has exhausted claim benefits.

Unlikely to Return (Directive, State of California, [WIAD04-18](#); NoRTEC Policy)

A Dislocated Worker is considered unlikely to return if he/she:

- Has worked in a declining industry/occupation; or
- Has worked in an industry/occupation for which there are limited job orders in the EDD Job Match system; or
- Can document unsuccessful efforts to obtain employment in the prior industry/occupation; or
- Is insufficiently educated and/or do not have the necessary skills for reentry into the former industry/occupation; or
- Has physical or other problems that would preclude reentry into the former industry or occupation.
- The client has been identified as a Dislocated Worker through the UI Profiling System.

Verification (NoRTEC Policy)

The means to confirm eligibility requirements through examination of official documents (e.g., birth certificates, public assistance records, or speaking with official representatives of cognizant agencies).

Veteran (WIA Client Forms Handbook, March 2005)

Disabled Veteran - A Disabled Veteran, for WIA purposes, is defined as a veteran entitled to disability compensation regardless of the rate (include those rated at 0%) for a disability under laws administered by the Department of Veterans Affairs (VA) or was discharged or released from active duty because of a service-connected disability. A veteran that is "Special Disabled" is one who is 30% disabled or more by the VA, or at least 10 or 20 percent for a serious employment disability.

Other Campaign Veteran - An Other Campaign Veteran, for WIA purposes, is defined as a veteran who served on active duty in the US armed forces during a war or campaign or expedition for which a campaign badge or expeditionary medal has been authorized. Click on the following link for a list of authorized campaigns and expeditions: [Campaign/Expedition List](#)

Recently Separated Veteran - A recently separated veteran, for WIA purposes, is defined as a veteran who applied for WIA Title I within 48 months after discharge or release from active US military, naval or air service.

Veteran - A Veteran, for WIA purposes, is defined as an individual who served in the active US military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable. For reporting purposes, WIA also requires a distinction between those veterans who meet the above definition for 180 days or less, and for those that served more than 180 days.

Vietnam Era Veteran - A Vietnam Era Veteran, for WIA purposes, is defined as a veteran who served in the active US military, naval, or air services, and who was discharged or released from such service under conditions other than dishonorable during the Vietnam Era. The Vietnam Era is the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and the period beginning on August 5, 1964, and ending on May 7, 1985, in all other cases.

Note: For on-line access to DD Form 214 Military Records (Certificate of Release or Discharge from Active Duty), please visit the following:

<http://www.archives.gov/veterans/evetreecs/index.html>

Military veterans and the next of kin of deceased former military members may use this new on-line records system to request documents. (A signature verification form must still be sent.)

Work Experience (Regs, Section 663.200; NoRTEC Policy)

A planned, structured learning experience that is provided through contractual supervised work site training by an employer in the public, private nonprofit, or private sector.

Work Experience generally will not exceed 520 hours and will be designed to impart specific behavioral competencies as listed on the [NoRTEC Work Site Performance Evaluation](#) form.

Labor standards apply in any work experience where an employee/employer relationship, as defined by the Fair Labor Standards Act, exists.

There is no expectation that the trainee will be retained in employment after the training period.

Worker's Compensation (WIA, Section 181(b)(4); Regs, Section 667.274; Federal, State, and NoRTEC Policy)

Some form of legally acceptable worker's compensation must be provided for WIA participants if they are engaged in any WIA sponsored work activity while enrolled in the WIA program.

In instances of OJT participation, the employer shall provide documentation of such coverage before the training period of the OJT contract begins.

For instances of other WIA sponsored work activities (e.g., work experience or internships), where the WIA service provider is the employer of record, such service provider shall provide compensation coverage through their compensation insurance carrier.

Note: Under CETA and JTPA, the exception to this rule was when participants were placed at federal worksites in work experience positions. At that time, FECA (Federal Employees Compensation Act) covered these participants because they were being supervised by federal employees.

This is no longer the case. Per an e-mail response from Steve Malliaras, US DOL, to Jean Cole at the State Workforce Investment Division, sent 09/27/02 at 12:09 p.m., the worker's compensation coverage shall be supplied by the employer of record, not by the federal worksite through FECA.

Youth Eligibility

See "Eligible Youth"