

Attachment C: Individuals with Barriers to Employment Frequently Asked Questions

For Adult, Dislocated Worker, and Youth Programs

Disability

1. When do I need to request disability related documentation?

Disability related documentation might be necessary when:

- The participant is requesting a reasonable accommodation that will require the utilization of Title-I funds; or,
- The determination of eligibility is based on the disability as the barrier to employment. For example, an in-school youth (ISY) with a disability as their only barrier for eligibility purposes.

Note: All disability related documentation collected, in addition to the basic ETA required data elements, is considered sensitive PII and must be kept confidential and separated from the individual's application (State Policy 4.5.2 Storage of Confidential Information).

2. If a participant receives Security Supplemental Income (SSI) or Social Security Disability Insurance (SSDI), is the individual automatically financially eligible?

If a participant receives SSI, that participant will be considered as having a disability and as low-income; therefore, the participant *will* be financially eligible for Title-I services. If a participant receives SSDI, that participant will be considered as having a disability and receiving income replacement; therefore, the SSDI benefits *do not* automatically deem the participant as being financially eligible for Title-I services. The amount of money received from the SSDI check must be counted for income eligibility determination.

For more information, review Social Security Cash Benefits and WIOA Title I Financial Eligibility Video: <https://www.youtube.com/watch?v=C-q17SaBjQk&feature=youtu.be>

Note: Individuals with disabilities are considered a family of one for income determination purposes, which usually (but not always) indicates their status as low-income (*TCSG OWD Policy Manual Section 3.2.5(II) Priority of Service*).

3. What is the definition of Reasonable Accommodation?

General Service Provision:

Reasonable accommodations are modifications or adjustments to the tasks, environment or to the way things are usually done that enable individuals with disabilities to have equal physical and programmatic access to the services, resources and benefits available to individuals without disabilities.

Workplace:

A reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship or a direct threat (ADA).

Education/Training:

Reasonable accommodations are modifications or adjustments to the tasks, environment or to the way things are usually done that enable individuals with disabilities to have an equal opportunity to participate in an academic program or a job (U.S. Department of Education, 2007).

Veterans**4. What is a “veteran” and an “eligible spouse” of a veteran?**

A veteran is a person who has served at least one day of active duty in the military, naval, or air service, and who was discharged or released from such service with anything other than a dishonorable discharge. This definition includes Reserve units and National Guard units activated for Federal Service.

An eligible spouse of a veteran is outlined in the following qualifications (only one category needs to be met):

- A spouse of any veteran who died of a service-connected disability;
- A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - Missing in action
 - Captured in the line of duty by a hostile force, or
 - Forcibly detained or interned in the line of duty by a foreign government or power;
- A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the department of Veteran Affairs;
- A spouse of any veteran who died while a disability was in existence.

5. Is the DD-214 form the only type of documentation to validate veteran status?

No, the status of a veteran or an eligible spouse can be verified by referencing a variety of official documents, including, but not limited to:

- A DD 214 (issued following separation from active duty);

- An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent;
- An official notice issued by the Department of Defense that documents the eligibility of an individual, based on the missing or detained status of that individual's active-duty spouse; or
- An official notice issued by a State veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency that requires Federal documentation of that information.

6. If a veteran identifies with having a significant barrier to employment, is a referral to Jobs for Veterans State Grant (JVSG) staff appropriate?

If a veteran discloses a significant barrier to employment that falls under any of the 14 categories identified in WIOA for individuals with barriers to employment (e.g., homelessness, low income, disability, etc.), that individual should be referred to the Disabled Veteran Outreach specialist (DVOP) for intensive career services at the Georgia Department of Labor (GDOL).

7. Does a transitioning service member qualify as a veteran?

Still active transitioning military service members may qualify for Title-I Dislocated Worker services. While these individuals may be eligible to receive WIOA services and funds, they would not be considered "veterans" for the purposes of DOL reporting or be eligible for Priority of Service. For the purposes of serving still-active transitioning service members under the "notice of termination or layoff" eligibility criterion, documentation must align with the DOL Data Element Validation (DEV) requirement for "Date of Actual Qualifying Dislocation." Military Personnel are eligible to begin receiving Dislocated Worker program services upon receipt of discharge orders (e.g., Effective Termination of Service (ETS) Orders or DD-2648-ACAP Transition Checklist). Length of service to qualify an individual for such discharges or separations under WIOA guidance may be as few as one day of service. Qualified individuals can receive services up to 18 months prior to retirement or 12 months before normal separation. If a transitioning service member successfully reenlists into active military duty, then that service member is no longer eligible for services.

8. Is a transitioning service member the same as a retiring service member?

Transitioning service members and retiring service members are synonymous in that they are both still on active-duty status and preparing to enter the civilian workforce. Separating service members, most often referred to as transitioning service members, have served less than 20 years on active-duty status, and have reached their Expiration Term of Service Obligation (ETS) in their military contract. A retiring service member is still defined as transitioning, but has served a minimum of 20 years in active military service, making them eligible for retirement benefits upon exit.

Transitioning service members and retiring service members are both eligible for WIOA Title-I Dislocated Worker funds if they have the required documentation (e.g., DD/DA forms) prior to their transition out of the military.

9. Are justice-involved (ex-offenders) veterans qualified for financial assistance for training services?

Justice-involved veterans are qualified for financial assistance assuming they meet all WIOA eligibility requirements and their military discharge was anything other than dishonorable. Ideally, WIOA Title-I re-entry and employment services should be provided in conjunction with intensive services and case management supports available through the DVOPs and LVERs in the GDOL. Other important supports are provided through the partnerships with core partners such as GVRA and GDOL.

10. Are justice-involved (ex-offenders) veterans still eligible for priority of service status?

Veterans who are justice-involved still receive priority of service if the discharge from the military was anything other than dishonorable. If the offense was committed during service and the dishonorable discharge was received as a consequence, priority of service would be removed from that veteran. Since justice involvement is a significant barrier to employment (SBE), that veteran should be referred to the Georgia Department of Labor's DVOP (Disabled Veteran Outreach specialist) for intensive services specific to that veteran's needs.

Individuals Experiencing Homelessness

11. Who is defined as a homeless individual?

An individual who lacks a fixed, regular, and adequate night-time residence, including:

- Sharing housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Living in a motel, hotel, trailer park, or campground due to lack of alternative adequate accommodations;
- Living in an emergency or transitional shelter;
- Abandoned in a hospital or awaiting foster care placement;
- Primary night-time residence that is public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Migratory child living in circumstances described above; or,
- Under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (e.g., runaway youth).

Youth

12. Is a homeless individual or runaway youth considered financially eligible?

Yes, a homeless individual is considered low-income by definition. For data validation documentation, see *Attachment A*.

13. What is the definition for youth in or aged out of the foster care system?

Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom a State agency has placement and care responsibility. This includes, but is not limited to, placement in licensed foster family homes, foster homes of relatives, group homes (licensed group living arrangements), emergency shelters, residential facilities, Child Caring Institutions (CCIs), Residential Care Centers (RCCs), placement in licensed larger facilities (not a secured detention facility), treatment foster care (placements with specialized types of foster parents), and pre-adoptive homes.

A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the State or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is a Federal matching of any payments that are made.

14. Is a youth in or aged-out of the foster care system financially eligible?

Yes, a youth in or aged-out of the foster care system is low-income by definition. For data validation documentation, see *Attachment A*.

15. Are individuals with disabilities who are 18-24 and attending school programs for specialized academic instruction and assistance learning functional skills considered in-school or out-of-school?

Individuals who are enrolled in an individualized education program (IEP) at the age of 22 are considered ISY. Individuals with disabilities who are 18-24 and attending non-credit bearing courses only are considered OSY. For more information, reference the Youth Resource Guide.

General

16. What barrier(s) can I validate using case manager observation?

- 1- Pregnant or parenting youth OR single, pregnant adult – self-attestation of being single and being pregnant, combined with supporting documentation (case manager’s case notes) noting the observation of the pregnancy status.

- 2- Visually evident disability or sensory disabilities- self-attestation of having a disability or supporting documentation (case manager's case notes) noting the observation of the visual/sensory disability (e.g., blindness, deafness, the loss of a body extremity, etc.).
- 3- English Language Learner- self-attestation or supporting documentation (case manager's case notes) noting the participant's limitations with the English language. See Attachment A for more details.