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Adult Eligibility Policy

Purpose

The purpose of this policy is to outline the eligibility requirements for the WIOA Adult (ADT) program in accordance with the Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Training and Employment Guidance Letters (TEGLs) published by the Employment and Training Administration of the U.S. Department of Labor (ETA), and policies of the Arkansas Workforce Development Board (AWDB) and the Southeast Arkansas Workforce Development Board (SEAWDB).

Reference: (WIOA Law)

<https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>

Policy:

To be eligible for the Adult program, an individual must be at least 18 years old [20 CFR 680.120] and must meet all requirements in ADWS Policy No. WIOA I-B 2.1 (Common Eligibility Requirements). Eligibility for the Adult program, however, does not make an individual eligible for all services in the program. Priority for receipt of services must follow the local area's policy and procedures for priority of services. In addition, the individual must demonstrate a need for the services given, and the individual must meet eligibility requirements applicable to the receipt of these services. See ADWS Policy No. WIOA I-B – 2.3 (Services for Adults and Dislocated Workers) for eligibility requirements for specific services.

Availability of services is based on eligible funding of **the Southeast area** and needs of participants, as well as the need for services and the ability to benefit from particular services. Nothing in this policy implies that an individual who qualifies for the Adult program is guaranteed receipt of all individualized career services and training services.

Priority of all WIOA Title I-B services is given to veterans and individuals with barriers to employment [See ADWS Policies No. WIOA I-B – 2.2 (Veterans Priority of Service) and 2.8 (Priority for Individuals with Barriers to Employment) for more information]. Statutory priority for individualized career services and training activities provided by WIOA Title I-B Adult funds is given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient, as defined in ADWS Policy No. WIOA I-B – 1.2 (Definitions) [WIOA § 134(c)(3)(E); 20 CFR 680.600 & 680.650; TEGLs 19-16 & 10-09; 38 U.S.C. 4215; Arkansas WIOA Combined State Plan]. Under WIOA, Adult priority of services must be implemented regardless of the amount of funds available to provide services in the local areas [TEGL 19-16]. Eligibility and priority applies whether the applicant is employed or unemployed [TEGL 19-16].

Priority of services does not necessary mean that services may be provided only to Adults who meet the statutory priority requirements. In compliance with TEGL 19-16, Arkansas requires the local areas to establish a process that meets the mandatory priority requirements, as well as any priority requirements identified by the LWDB for the area. SEAWDB is in compliance with the requirement and details can be found in the Adult Priority of Service Policy.

The order of priority of services for Adult formula funds is [TEGLs 10-09 & 19-16]:

1. First priority of service is veterans and eligible spouses (see ADWS Policy No. 1.2 for definition) who are also included in the groups given statutory priority for WIOA Title I-B Adult formula funds. This means that veterans and eligible spouses who are also recipients of public assistance, are other low-income individuals, or are individuals who are basic skills deficient will receive first priority for individualized career services and training services provided with WIOA Adult formula funds.
2. Second priority of service is individuals who are not veterans or eligible spouses, but who are recipients of public assistance, are other low-income individuals, or are individuals who are basic skills deficient.
3. Third priority of service is given to veterans and eligible spouses who are not recipients of public assistance, are not other low-income individuals, and are not basic skills deficient.
4. Fourth priority of service is individuals who are not veterans, are not recipients of public assistance, are not other low-income individuals, and are not basic skills deficient, but are individuals with other barriers to employment.
5. The last priority of service is given to individuals who are not veterans, eligible spouses, recipients of public assistance, other low-income individuals, basic-skills deficient, or individuals with other barriers to employment.

SEAWDB has established written policies and procedures to ensure that the above priority for participants served in the WIOA Title I-B Adult program is followed [20 CFR 680.600(b);

TEGL 19-16]. Additional guidance concerning these policies is contained in ADWS Policies No. WIOA I-B – 2.2 (Veterans’ Priority of Service) and 2.8 (Priority of Individuals with Barriers to Employment).

Note that WIOA does not require or address residency, and Arkansas State policy is that local areas cannot make residency a priority of service [Comments in WIOA Final Rule concerning §683.105].

Approved:

SEAWDB Chairperson Date

Amended:

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SEAWDB Chairperson Date 2/21/24