



WIOA Eligibility and Self-Certification and Telephone/Document Inspection Verification Policy

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I. Purpose

To ensure that every Workforce Innovation and Opportunity Act (WIOA) participant who receives WIOA Program funded services in the North Central Workforce Development Area is eligible and registered to receive those services. This policy applies to all North Central Workforce Development Adult/Dislocated Worker/Youth participants and to individuals interested in enrolling in these programs. All Title I funded staff are responsible for implementing this policy.

The policy also provides technical assistance to local workforce system stakeholders with regard to the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) title I eligibility determinations when self-certification is used by an applicant. This guidance addresses the appropriate use of self-certification for title I program eligibility and data validation requirements. The information reflected in this workforce system guidance is subject to change based on the issuance of US Department of Labor (USDOL), PA Department of Labor and Industry and Workforce Solutions regulations, guidance, and determinations.

II. References:

- Workforce Innovation and Opportunity Act of 2014 (WIOA or Opportunity Act), Public Law (Pub. L.)
- Workforce Innovation and Opportunity Act, Department of Labor Only, Final Rule, 20 C.F.R. Parts 603, 651, 652, et al. (2016)
- Workforce Innovation and Opportunity Act, Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions, Final Rule, 20 C.F.R. Parts 676, 677, and 678 (2016)
- Training and Employment Guidance Letter (TEGL) No. 35-14, WIOA Operating Guidance for National Farmworker Jobs Program (NFJP) Employment and Training and Housing Grantees

- Training and Employment Guidance Letter (TEGL) No. 6-14, Program Year (PY) 2013/Fiscal Year (FY) 2014 Data Validation and Performance Reporting Requirements and Associated Timelines, Attachment A: Source Documentation Requirements for Program Year (PY) 2013 Workforce Investment Act (WIA) Data Element Validation (C. TYPES OF SOURCE DOCUMENTATION)
- Training and Employment Guidance Letter (TEGL) No. 12-01, Clarification on Selected Activities and Issues under the WIA; Attachment C: Cross-Cutting Eligibility, Documentation, and Verification Issues for Adults and Youth under WIA
- PA Workforce Investment Information Notice (WIIN) No. 3-99, Change 2, Title I WIA Eligibility Criteria for Registration and WIA Acceptable Eligibility Verification, Attachments I and J

III. Definition of Key Terms:

“Basic Skills Deficient” individuals are:

- A youth with English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- A youth or adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

“Displaced Homemaker” means an individual who has been providing unpaid services to family members in the home and who—

- Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment; and
- Has been dependent on the income of another family member but is no longer supported by that income; or
- Is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member.

“Low-income individuals” meet one or more of the characteristics listed below:

- Recipient of Cash Public Assistance
- Family Income that does not exceed the higher of 70% of the Lower Living Standard Income Level (LLSIL) or the poverty line
- Receives Food Stamps or was determined eligible to receive in the last six months
- Homeless • Publicly supported Foster Child
- Individual with a disability and own income at or below 70% of the LLSIL or the poverty line
- Receives, or is eligible to receive a free or reduced price school lunch
- An individual who resides in a high poverty area, defined as an area that has a poverty rate of at least 30% (set every 5 years, using ACS 5 year estimates)

- Self-Attestation: Self-attestation (also referred to as an applicant statement) occurs when an individual states his or her status for a particular data element, such as “runaway youth,” and then signs and dates a form acknowledging this status. The key elements for self-attestation are: (a) the individual identifying his or her status for permitted elements and (b) signing and dating a form attesting to this self-identification.

- Self-Certification: Self-certification means an individual’s signed attestation that the information said individual submitted to demonstrate eligibility for a program under title I of WIOA is true and accurate. (Exception: Per WIOA Section 167 ‘National Farmworker Jobs Program’ (NFJP) self-certification is performed when an eligible migrant and seasonal farmworker (MSFW) signed attestation that the information he/she submits to demonstrate eligibility for the NFJP is true and accurate).

IV. Eligibility Requirements:

WIOA Adult Eligibility

Adults must meet basic eligibility requirements for the NCWDB. Basic eligibility requirements include:

- be 18 years of age or older (adults);
- be a citizen or noncitizen authorized to work in the U.S.; and
- meet selective service registration requirements (males only) (see below).

See the Workforce Solutions Priority of Service policy for additional eligibility requirements for Adults to qualify for priority of service to receive training or career services.

WIOA Dislocated Worker Eligibility

To qualify for services as a dislocated worker, job seekers must satisfy the basic WIOA eligibility requirements, which include:

- be 18 years of age or older (adults);
- be a citizen or noncitizen authorized to work in the U.S.; and
- meet selective service registration requirements (males only) (see below).

Also a dislocated worker has to fit in one of the following five categories:

- Terminated/Laid Off; Eligible for UC and Unlikely to Return
- Permanent Closure/Substantial Layoff
- General Announcement of Employer Closure
- Formerly Self-Employed/Currently Unemployed
- Displaced Homemaker

WIOA Youth Eligibility Requirements

Youth must meet basic eligibility requirements to participate in the WIOA Youth program. Both In School and Out of School Youth must meet the following eligibility requirements:

- Be a citizen or noncitizen authorized to work in the U.S.; and
- Meet selective service registration requirements (males only if applicable) (see below).

Additional eligibility requirements for In School Youth include:

- An individual who is between 14 and 21 years of age;
- An individual who is attending school, including secondary and post-secondary school (as defined by State law);
- A low income individual (see Definition of Key terms Section); and
- One or more of the following:
 - o Basic skills deficient;
 - o An English language learner;
 - o An offender;
 - o A homeless individual;
 - o Pregnant or parenting;
 - o A youth who is an individual with a disability

An eligible in-school youth or an out of school youth who have their high school diploma or GED and are basic skills deficient or an English language learner must also meet low-income definition (WIOA Section 3, 36).

Additional eligibility requirements for Out of School Youth include:

- An individual who is not attending any school (including secondary or post-secondary);
- An individual between the ages of 16 and 24 years of age; and
- One or more of the following:
 - o A school dropout;
 - o A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
 - o A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is:
 - Basic skills deficient; or
 - An English language learner.
 - o An individual who is subject to the juvenile or adult justice system; o A homeless individual, a runaway, an individual in foster care, or an individual who has aged out of the foster care system;
 - o An individual who is pregnant or parenting;
 - o A youth who is an individual with a disability;

V. Eligibility Policy

The Pennsylvania Department of Labor & Industry (Department) establishes and maintains a data validation system pursuant to US Department of Labor (USDOL) instruction. Workforce Development Boards must ensure to the maximum extent feasible the accuracy of the data entered into the state's

system of record, the Commonwealth Workforce Development System (CWDS). The elements required for data element validation focus on eligibility, outcomes, services and program follow-up. For the purposes of determining eligibility, documentation may be required as evidence supporting the legitimacy of an individual's acceptability for participation in a particular WIOA-funded program. Local workforce staff must confirm eligibility for certain programs and services through an examination of provided documentation. Once data is verified and entered in CWDS, such information is validated by the Department of Labor and Industry.

A. Verification before program participation. Workforce system staff must verify eligibility prior to the provision of services as required under federal and state statute and regulations. Additionally, this mandate helps reduce the risk of enrolling ineligible individuals in title I programs, which may result in disallowed costs.

B. Bridging the gap until eligibility is determined. As Wagner-Peyser Act (W-P) or WIOA title III services are universally available (i.e., there are no eligibility requirements to receive such services), individuals whose eligibility is not yet determined may receive services associated with this funding. W-P services may serve as a bridge to ensure individuals have access to services (until such time as the individual's title I-B program eligibility is determined). Upon determination, participants (once eligible and participating in a program) may continue to receive W-P services, as well as services associated with the applicable title I programs. Note: The Department encourages referral to W-P for assessment services, particularly in the case of the youth population, while eligibility for title I services is being determined.

C. Verification and documentation. It is important to note that verification is far different than hardcopy documentation.

- Verification means to confirm eligibility requirements through examination of documents (e.g., birth certificates or public assistance records) or speaking with representatives of authorized agencies.
- Documentation means to maintain physical evidence, which is obtained during the verification process, in participant files. Examples of such evidence are copies of documents (where legally permitted)

Primary Eligibility Review

It is the title I provider's responsibility to review and sign off on all registration paperwork for completeness, and accuracy prior workforce delivery system staff review. The title I provider must maintain a centrally controlled file for each program applicant and registrant which contains copies of all documents collected. The sub title I provider will provide Federal, State, and Workforce Solutions monitors with access to such records given reasonable notice.

Secondary Eligibility Review

All WIOA participants' registration paperwork will be forwarded to workforce delivery system staff for review and eligibility determination. After review workforce delivery system staff will sign off on

participant's paperwork. Appropriate data will be entered into CWDS by workforce delivery system staff for tracking participants' registration and eligibility.

VI. Self-Certification Policy

A. Acceptable use. USDOL allows for self-certification as a viable source for documenting eligibility. The Department requires that in the circumstances where self-certification is permissible (by the Department), that with the exception of out-of-school youth, it be limited and only available after all other sources of eligibility verification are exhausted (i.e., self-certification is the **"last resort"** for documenting title I program eligibility). As stated on the attached Self-Certification Form applicant's signing this form are "certifying under penalty of law" that the statements recorded are true as well as further stated "if misrepresented, or incomplete may be grounds for immediate termination and/or penalties as specified by law".

B. Rare circumstances. Labor and Industry and Workforce Solutions allows for self-certification to verify those eligibility items requiring documentation that, in rare cases, may cause undue hardship for applicants to obtain, particularly those with barriers to employment.

Self-certification may be accepted from an individual who has experienced a loss of documentation due to:

- Natural or man-made disaster such as fire, flood, tornado;
- Eviction from residence resulting in a loss of supporting documentation; or
- Individual is fleeing or has fled an abusive or untenable home situation.

C. Youth. To ease burdens on both applicants and providers and serve out-of-school youth who are most in need, the commonwealth will allow self-attestation for out-of-school youth for the purpose of WIOA eligibility determination, consistent with federal rulemaking. The commonwealth requires LWDBs and youth service providers to accept such self-attestation as identified in the following subparagraph.

D. Self-Certification List. Workforce staff must use self-certification in a manner reflective of the aforementioned guidance (i.e. limited and rare circumstances; or last resort) Self-certification may be used rarely for Dislocated Workers, Adults and ISY and freely for OSY for the following criteria elements:

- Date of Actual Dislocation (Dislocated Worker)
- Displaced Homemaker (Dislocated Worker)
- Reemployment Opportunity is Poor / Unlikely to Return-to-Work (Dislocated Worker)
- Permanently or Temporarily Laid Off as a Consequence of a Disaster (Disaster Grant DWG)
- Long-Term Unemployed (Disaster Grant DWG)
- English Language Learner (Youth)
- Homeless (Youth and Adult)
- In/Aged Out of Foster Care System (Youth)
- Offender (Youth)
- Pregnant or Parenting (Youth)
- Requires Additional Assistance (Youth)
- Runaway (Youth)

- School Status at time of Registration (Youth)

Family income level may not be self-certified in any case. Providers are encouraged to utilize telephone verification prior to self-attestation for adult, dislocated worker, and ISY populations where possible. Telephone verification involves verification of eligibility criteria through phone calls with recognized governmental or social services agencies. Information obtained through this method should be documented on the attached Telephone/Document Inspection Verification Form.

VII. Telephone/Document Inspection Verification.

Workforce Solutions in accordance with the PA Department of Labor and Industry Workforce System Guidance No. 04-20156 (Change 1), September 11, 2017 allows for the use of telephone verification and documentation inspection verification to verify eligibility, especially in consideration of individuals with barriers to employment. Provider may choose to use of telephone verification prior to self-certification to verify eligibility criteria. When applicable, eligibility criteria may be verified by telephone contacts with recognized governmental or social services agencies, or by document inspection. The information obtained must be verified and recorded on the Telephone/Document Inspection Verification Form (Appendix B). Information recorded must be adequate to enable a monitor or auditor to report back to the cognizant agency or the document used. (In some cases, the information provided by the agency through telephone contact may be sufficient to satisfy multiple eligibility criteria. Verification of eligibility through document inspection is appropriate when documents cannot or may not be copied).

VIII. Applicant Statement.

An applicant statement is a form of self-attestation and as such is like self-certification in that it is among the least preferred methods of documenting and verifying eligibility criteria in the commonwealth. If an applicant statement is used in the eligibility determination process, a rationale must be provided via case notes on CWDS in the applicant's electronic case record describing the other methods of verifying eligibility the workforce staff attempted prior to the use of an applicant statement. Neither applicant statements nor self-attestations may be used for family size/family income criteria in determining eligibility. Additionally, all self-attestations will be incorporated into Workforce Solutions random sampling process.

IX. Standardized Forms.

Labor and Industry has developed standardized forms to assist local workforce development boards in collecting the information necessary to verify title I programs eligibility criteria and verify acceptable documentation sources, to include self-certification and telephone and document inspection verification. These forms are attached to this policy.

X. Random Sampling Methodology

In order to verify applicant self-certification usage and to monitor self-attestations, Workforce Solutions will adopt a random sampling methodology. The methodology will verify eligibility in self-attested applications and will be implemented for all Title I programs. For the purposes of ensuring the validity of

self-attested data, Workforce Solutions will use a 95% confidence interval and 5% margin of error. A random sample of the population utilizing self-attestation will be selected to verify if the information those individuals reported is correct. The size of the sample depends on the size of the population and is outlined in the table below. Population will be measured by funding stream (e.g. all OSY) and not by individual provider. Participants selected through the random sampling methodology will be notified at the time of eligibility and required to provide additional eligibility documentation. Eligibility sampling is not intended to be a hardship but to serve as a method to ensure validity for verification sources and to ensure the enrollment of eligible individuals.

Population Size	Random Sample Size
25	5
50	10
75	15
100	20
200	40
300	60
400	80

If more than 10% of examined participants are found to be ineligible, Workforce Solutions will take corrective action, including providing technical assistance to providers utilizing self-certification as a form of eligibility.

XI. Selective Service Requirements

Every male citizen and male permanent resident noncitizen in the United States between the ages of 18 and 26 are required to register with Selective Service. Males who failed to register with Selective Service by their 26th birthday and can provide written explanation and supporting documentation of any of the following may be eligible for WIOA services:

- over the age of 26 and were willing but unknowing of the requirement to register with Selective Service;
- incarceration, institutionalization, or hospitalization between the ages of 18-26; or
- non-citizen status and non-permanent resident status before age 26.

Workforce Solutions will monitor Selective Service exceptions to ensure that proper procedures are followed.

XII. Expiration: Ongoing

XIII. Inquiries: Pam Streich, pstreich@ncwdb.org, 814-245-1835 or Susan R. Snelick, ssnelick@ncwdb.org, (814)245-1835

Auxiliary aids and services are available upon request to individuals with disabilities.

Equal Opportunity Employer/Program