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| Region VI Workforce Development Board 17 Middletown Road White Hall, WV 26554 | Classification: Dislocated Worker Eligibility- Definition of Unlikely to Return to Previous Industry or Occupation |
| | Date: June 18, 2020 |

Region VI Guidance Letter No. 18-16, R-1

To: All WorkForce West Virginia Career Center staff
All WIOA Career Planners/Eligibility Determination Staff
All Local Service Providers

From: Region VI Workforce Development Board

Subject: Definition of Unlikely to Return to Previous Industry or Occupation

1. PURPOSE: To establish local criteria for purposes of defining “unlikely to return to a previous industry or occupation” as part of Dislocated Worker eligibility determination to receive WIOA training services.

2. REFERENCES WIOA Section 3 (15)(A)(iii)

2. BACKGROUND: WIOA specifies that one of the eligibility criteria in determining a person eligible under WIOA Dislocated Worker Services is that the person is ”unlikely to return to a previous industry or occupation;”.

3. POLICY: Region VI WDB has defined that to mean the following:

- Skill Oversupply – State or local supply of persons with the specific skills of the applicant exceeds current demand for those skills; or
- Obsolete Skills – Applicants can no longer meet the minimum requirements of jobs available in their field or occupation (e.g., clerical worker without word processing skills, etc.); or
- Only Stop-Gap-Available – Jobs available to applicant would be temporary or substantially below applicant’s accustomed skill, hour, or wage level; or
- Local Layoff Impact – A local plant or business closing or layoff has had a significant negative impact on the availability of jobs in the applicant’s primary occupation and accustomed wage/hour/skill level; or
- No Job Offers Received – Applicant has been available and looking for work and has not received an offer for work; or
- Physical Limitations or Disabilities – Newly acquired physical limitations or injuries occurring which limit the individual’ ability to perform the job from which they were dislocated may make an individual unlikely to return to the previous occupation. Such individuals are eligible if they fit one of the categories of the WIOA dislocated worker program eligibility; or
- Other Factors – Factors that can be recorded in the clients file from written or verbal sources, including, but not limited to, the WIOA application and MACC case notes showing staff judgment indicating “unlikely to return to previous industry or occupation.”

4. EFFECTIVE: Effective June 18, 2020, until rescinded or modified by the Region VI Workforce Development Board.