

WIOA TITLE I ELIGIBILITY TECHNICAL ASSISTANCE GUIDE

GENERAL INSTRUCTIONS

The attached Directive is being issued in draft to give the Workforce Development Community the opportunity to review and comment prior to final issuance.

Submit any comments using the attached Draft Directive Comment Template (attachment 3) by email no later than **August 12, 2023**.

NOTE – The comment submission process is different for this Draft Directive. Commenters are requested to input their comments for this Draft Directive and the attachments on the Draft Directive Comment Template.

All comments received within the comment period will be considered before issuing the final Directive. Commenters will not be responded to individually. Rather, a summary of comments will be released with the final Directive.

Comments received after the specified due date will not be considered.

Email WIOAPolicy@edd.ca.gov
Include “WSDD-249 Comments” in the email subject line.
Attach the Draft Directive Comment template to the email.

For questions regarding this Draft Directive, contact Ra Maura Miyague at WIOAPolicy@edd.ca.gov.

WIOA TITLE I ELIGIBILITY TECHNICAL ASSISTANCE GUIDE

EXECUTIVE SUMMARY

This policy provides the guidance and establishes the procedures for determining an individual's eligibility to participate in the *Workforce Innovation and Opportunity Act* (WIOA) Title I programs. This policy applies to Local Workforce Development Boards (Local Board) and Local Workforce Development Areas (Local Area), and is effective immediately.

This policy contains some state-imposed requirements. All state-imposed requirements are indicated by ***bold, italic*** type.

This policy supersedes Workforce Services Directive *WIA Title I Eligibility*, WSD14-04, dated September 25, 2014. Retain this Directive until further notice.

REFERENCES

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- WIOA (Public Law 113-128)
 - *Jobs for Veterans Act of 2002* (Public Law 107-288)
 - *Title 2 Code of Federal Regulations* (CFR) Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)
 - *Title 2 CFR Part 2900*: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Department of Labor Exceptions)
 - *Title 20 CFR Part 675, et al.*: Workforce Innovation and Opportunity Act, Final Rule
 - Training and Employment Guidance Letter (TEGL 23-19), Change 2, *Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor Workforce Programs* (May 12, 2023)
 - TEGL 09-22, *WIOA Title I Youth Formula Program Guidance* (March 2, 2023)
 - TEGL 10-16, Change 2, *Performance Accountability Guidance for WIOA Core Programs* (September 15, 2022)
 - TEGL 14-18, *WIOA Operating Guidance* (March 25, 2019)

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- *TEGL 26-16, Guidance on the use of Supplemental Wage Information to implement the Performance Accountability Requirements under the WIOA* (June 01, 2017)
- *TEGL 21-16, Third WIOA Title I Youth Formula Program Guidance* (March 2, 2017)
- *TEGL 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser (W-P) Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules* (March 1, 2017)
- *TEGL 8-15, Second Title I WIOA Youth Program Transition Guidance* (November 17, 2015)
- *TEGL 02-14, Eligibility of Deferred Action for Childhood Arrivals Participants for Workforce Investment Act and Wagner-Peyser Act Programs* (July 14, 2014)
- *TEGL 26-13, Impact of the U.S. Supreme Court's Decision in United States v. Windsor on Eligibility and Services Provided under Workforce Grants Administered by the Employment and Training Administration* (June 18, 2014)
- *TEGL 10-09, Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)* (November 2009)
- *TEGL 22-04, Change 1, Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant* (September 28, 2007)
- *TEGL 22-04, Serving Military Service Members and Military Spouses under the Workforce Investment Act Dislocated Worker Formula Grant* (March 22, 2005)
- *California Unified Strategic Workforce Development Plan (State Plan) 2020-2023*
- [Workforce Services Directive WSD22-03, WIOA Data Validation Source Documentation](#) (August 12, 2022)
- *WSD22-01, Performance Guidance* (July 18, 2022)
- *WSD20-11, Pseudo Social Security Number in CalJOBSSM* (April 29, 2021)
- *WSD21-06, 70 Percent LLSIL And Poverty Guidelines for 2022* (June 14, 2022)
- *WSD19-04, Priority of Service for Veterans and Eligible Spouses* (September 11, 2019)
- *WSD19-06, CalJOBSSM Activity Codes* (December 27, 2019)
- *WSD18-03, Pathway to Services, Referral, and Enrollment* (August 28, 2018)
- *WSD18-02, Data Change Request Form Procedure* (July 31, 2018)
- *WSD17-07, WIOA Youth Program Requirements* (January 16, 2018)
- *WSD16-18, Selective Service Registration* (April 10, 2017)
- *WSD15-14, WIOA Adult Program Priority of Service* (January 22, 2016)

BACKGROUND

The WIOA authorizes a workforce development system to provide workforce preparation and employment services to eligible adults, dislocated workers, and youth. The WIOA Title I Eligibility Technical Assistance Guide (TAG) assists Local Areas in establishing eligibility guidelines for the WIOA adult, dislocated worker, and youth programs.

POLICY AND PROCEDURES

The WIOA Title I Eligibility TAG provides guidance regarding participant eligibility, acceptable documentation, document verification, and clarifies areas of flexibility in eligibility policies, procedures, and definitions. The TAG includes form fields to allow Local Areas to incorporate their local guidance. Local Areas are not required to use these form fields and may use other methods for releasing local eligibility guidance.

Local Areas are required to develop local policies, procedures, and definitions as indicated in the TAG, and ensure this guidance is available to all frontline staff responsible for determining eligibility. Local Areas must ensure their local guidance complies with the requirements of the TAG, and all federal and state requirements.

Federal and state monitors and auditors will verify that the local eligibility policies, procedures, and definitions have been communicated and implemented within the Local Area. Local guidance that does not correctly reflect federal and state requirements may result in disallowed costs.

ACTION

Bring this Directive to the attention of all appropriate staff and other relevant parties.

INQUIRIES

If you have any questions, contact your assigned [Regional Advisor](#).

/s/ JAVIER ROMERO, Deputy Director
Workforce Services Branch

Attachments:

1. [WIOA Title I Eligibility Technical Assistance Guide \(DOCX\)](#)
2. [Acceptable Documentation for WIOA Title I Program Eligibility \(DOCX\)](#)
3. [Draft Directive Comments Template \(XLSX\)](#)