

## DISLOCATED WORKER ELIGIBILITY POLICIES

Southern 14 Workforce Investment Board, Inc. LWIA #26

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### **DISLOCATED WORKER ELIGIBILITY REQUIREMENTS**

To be eligible to participate in activities and services specified in Section 134 of the WIOA under the dislocated worker funding stream, an individual shall meet general eligibility requirements and the following dislocated worker eligibility requirements: Chapter 5, Section 3, Version 4

Current up-to-date State of Illinois WIOA Dislocated Worker Eligibility requirements are available at: [WIOA Policy \(illinoisworknet.com\)](http://illinoisworknet.com) Dislocated Worker Eligibility

- DW.1. Terminated or laid off, or has received notice of employment termination or layoff, and
  - DW.1.a Eligible or has exhausted entitlement to unemployment insurance (UI); or
  - DW.1.b Has been employed for a duration sufficient to demonstrate attachment to the workforce (six months in Illinois), but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and
  - DW.1.c Is unlikely to return to a previous industry or occupation.
  
- DW.2. Terminated or laid off, or received notice of termination or layoff from employment due to permanent closure of or substantial layoff at a plant, facility, or enterprise; and a. Is employed at a facility in which the employer made a general announcement that the facility will close within 180 days.
  
- DW.3 Profiled to Exhaust Unemployment Insurance Benefits;  
  
The individual is a profiled and referred Unemployment Insurance (*UI*) claimant whose UI profilee date is within the past calendar year of the WIOA application date; The state has determined as allowed per 680.130(b)(3), that UI profilees are eligible dislocated workers and is consistent with the definition of dislocated worker at WIOA Section 3(15). In such instances, no further documentation will be needed to establish the “Unlikely to Return to a Previous Industry or Occupation” criterion of WIOA section 3(15)(A)(iii). As a result, acceptance of UI profiling data to prove eligibility for meeting the requirements of 3(15) is the only standard.
  
- DW.4. Self-employed but unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters
- DW.5. Displaced homemaker
- DW.6. Spouse of a member of the Armed Forces on active duty and:
  - DW.6.a Has experienced the loss of employment as a direct result of relocation to accommodate the permanent change in duty station, or
  - DW.6.b Unemployed or under-employed and experiencing difficulty in obtaining or upgrading employment

### **Substantial Layoff – Qualifying Sectors and Occupations:**

LWIBs may designate certain sectors or occupations as substantial or significant to the regional or local workforce or economy as indicated in Ch. 5 Sec. 3. 2. A. 1) a) iii) of the WIOA ePolicy, updated

1/30/2023. Layoffs from these sectors or occupations qualify as substantial layoffs for the purpose of WIOA 1D eligibility.

- LWIA 26 has identified the following sectors as substantial or significant to the regional and local economy and/or workforce:

700000 – Leisure and Hospitality  
300000 – Manufacturing, Total  
400000 – Trade, Transportation, and Utilities  
440000 – Retail Trade  
720000 – Accommodation and Food Services

- LWIA 26 has identified the following occupations as substantial or significant to the local economy and/or workforce:

41-2011 – Cashiers  
41-2000 – Retail Sales Workers  
51-0000 – Production Occupations

### **Intervening or Stopgap Employment for Dislocated Workers:**

LWIA 26 will deem any employment that an individual obtains which **does not** meet the self-sufficiency criteria, should be considered intervening or stopgap employment, and the individual would still have WIOA Dislocated Worker eligibility consideration based on their original dislocation job.

### **Dislocated Worker – Special Grants:**

In addition to the above WIOA dislocated worker formula funding, LWIA 26 may receive special grants that have differing participant eligibility. Definitions and target populations may change depending on the specifications of the grant.

### **DISLOCATED WORKER SELF-SUFFICIENCY REQUIREMENTS**

The Southern 14 Workforce Investment Board, for the purposes of dislocated worker eligibility, sets criteria of 85% of the dislocated hourly wage for determining whether employment leads to self-sufficiency or income that does not exceed 250% of the current Income Guidelines for Determination of Low Income (LLSIL) as applicable for LWIA #26. The assessment will be based on the customer's work history, skill levels, and a determination made by the career planner that the customer will **not** be able to obtain or retain employment that meets the above criteria for self-sufficiency.

### **SUFFICIENT DURATION OF EMPLOYMENT-TENURE REQUIREMENT**

The Southern 14 Workforce Investment Board, for the purposes of dislocated worker eligibility, will define *'has been employed for a duration sufficient to demonstrate to the appropriate entity at a workNet center referred to in Section 134 (Sec. 3(2) and Section 134 (Sec. 3(15) attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a state unemployment compensation law'* as a period of 30 days with the same employer or same occupation.

## **GENERAL ANNOUNCEMENT OF A CLOSING**

The Southern 14 Workforce Investment Board, for the purposes of dislocated worker eligibility, established the following policy:

For employers of less than 50 people not covered by WARN, a newspaper press release or letter from the employer or their representative with an actual closing date constitutes a 'general announcement' of a plant closing, or what constitutes 'unemployed' as a result of general economic conditions in the community in which the individual resides or because of natural disasters for determining the eligibility of self-employed individuals, including family members and farm or ranch hands.

## **LOOK-BACK PERIOD**

The Southern 14 Workforce Investment Board, for the purposes of dislocated worker eligibility, defines the term 'look-back period' as two (2) years.