



COUNTY OF LOS ANGELES
WORKFORCE DEVELOPMENT, AGING AND
COMMUNITY SERVICES



WORKFORCE DEVELOPMENT
PROGRAMS DIRECTIVE

DATE: May 15, 2020

NUMBER: WDP D19-36

**WIOA DISLOCATED WORKER (DW) PROGRAM
ELIGIBILITY REQUIREMENTS –
COVID-19 (*Revised*)**

PURPOSE

This directive provides guidance to Los Angeles County America's Job Centers of California (AJCCs) regarding Workforce Innovation and Opportunity Act (WIOA) Dislocated Worker (DW) eligibility requirements for dislocated workers affected by COVID-19 which was declared a pandemic by the World Health Organization on March 11, 2020.

BACKGROUND

The COVID-19 pandemic has led to the closure of thousands of businesses and caused over a million layoffs in Los Angeles County. In response to the mass layoffs experienced by the residents we serve the County is seeking to facilitate and streamline WIOA DW program services to affected residents. The policy herein provides guidance on how to facilitate enrollment into the County WIOA DW program for those affected by the COVID-19 pandemic.

POLICY

The County is instituting the following policies effective immediately to ensure that dislocated workers affected by the COVID-19 pandemic are served as quickly as possible. The policy herein applies to the County's WIOA Dislocated Worker program(s).

Eligibility

Eligible individuals must still meet basic WIOA Dislocated Worker eligibility requirements as outlined in L.A. County One-Stop Operator (OSO) for the AJCCs Sub-Award: WIOA Adult & Dislocated Worker (ADW) Statement of Work (SOW), specifically:

- To establish that an eligible individual qualifies as a Dislocated Worker the requirements of one (1) or more of the following eight (8) categories must also be met:
 - **Category 1** – Terminated, laid off *or furloughed*, or has received a notice of termination or layoff, from employment; AND eligible for or has exhausted entitlement to unemployment compensation; AND is unlikely to return to a previous industry or occupation; or

- **Category 2** – Terminated, laid off, *or furloughed* or has received a notice of termination or layoff, from employment; AND employed for a duration sufficient to demonstrate, to the appropriate entity at the Comprehensive AJCC or AJCC in accordance with WIOA Title I Section 121(e), 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; AND is unlikely to return to a previous industry or occupation; or
- **Category 3** - Terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; (*Defined by LA County as 1/3 of a Department, Company or Business*) or
- **Category 4** - Is employed at a facility at which the employer has made a general announcement that such facility will close within one hundred eighty (180) days; or for purposes of eligibility to receive non-staff assisted Basic Career Services only, is employed at a facility at which the employer has made a general announcement that such facility will close; or
- **Category 5** - Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters; or
- **Category 6** - Is a displaced homemaker; or
- **Category 7** - Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), AND who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or
- **Category 8** - Is the spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed AND is having trouble in obtaining or upgrading employment.

Please note: *Furlough* is defined as placing an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons {Title 5 United States Code (USC) 7511(a)(5)}. As such, it is a temporary termination of employment or lay-off.

Eligibility Documentation

DW eligibility documentation must be collected to substantiate the category used for program enrollment. When supporting Category 1 or Category 2, as there is uncertainty as to when individuals affected by the COVID-19 pandemic may return to work and several industry sectors have been disproportionately impacted, **all individuals may be considered unlikely to return to their previous job or occupation.**

Acceptable documentation may include the following:

- Worker Adjustment and Retraining Notification Act (WARN) notice;
- Copy of media announcement;
- Employer notification, verified through a written letter, email or telephone with HR or other authorized personnel at the business;
- Receipt of Rapid Response or Trade Adjustment Act services, verified through America's Job Center of California staff; or
- Copy of other documentation that shows the business will be closing, such as bankruptcy papers.
- Self-attestation. Since the COVID-19 pandemic has highly impacted our systems and programs, in order to help expedite the eligibility process, self-attestation is acceptable when other forms of documentation cannot be easily accessed. AJCCs are to use Attachment I – COVID-19 Dislocated Worker Self-Attestation Form in such instances.

In all cases, there must be documentation that proves the individual seeking services was an employee affected by the layoff or pending layoff. Documentation connecting an individual to the layoff may include the following:

- Check stubs,
- Payroll records,
- Timesheets,
- Letters or phone verification from the employer,
- Other employment records, or
- Self-attestation.

PROCEDURES

To document these cases appropriately, AJCCs must create a case note in CalJOBS indicating individual is a dislocated worker and category used for enrollment. DW eligibility documentation used should also be identified. Documents should be linked to appropriate application verification areas and a case note created which indicates which CalJOBS documents you are using at enrollment and their upload date(s).

AJCCs should ensure they use the attached *COVID-19 Self-Attestation Form* when using an applicant statement for DW eligibility purposes. Any documentation used to establish DW eligibility should be uploaded to the participant's CalJOBS record. Note, this policy is **ONLY** in effect during the duration COVID-19 pandemic and until otherwise lifted by County.

ACTION

Los Angeles County AJCCs must develop and implement written internal controls and procedures incorporating all requirements within this directive and ensure that the requirements described herein are communicated throughout the operations, management and governance structure of the contractor organization and that this Directive is appropriately maintained until further notice.

INQUIRIES

Inquiries regarding this directive and the policies and procedures described herein should be directed to ajccops@wdacs.lacounty.gov



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Attachment(s)

[Attachment I – COVID-19 Dislocated Worker Self-Attestation Form - Revised](#)