

Number: WIN - 0024

Policy Clarification |  Q&A |  Other

Date: September 13, 2012

Expiration Date: N/A

**TO:** Workforce Development System Partners  
**FROM:** Amy Smith-Rubeck, Deputy Assistant Commissioner  
**SUBJECT:** Community Partnership National Emergency Grant Q&A

### Purpose:

To provide supplemental guidance on eligibility requirements under the Community Partnership National Emergency Grant (NEG).

### Action Required:

Workforce Development Councils (WDCs) and their contractors, as well as Employment Security Area Directors, must distribute this guidance broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

### Summary:

- 1. Do participants have to meet WIA Dislocated Worker criteria or can they meet low income WIA Adult/Youth Criteria?***

This grant is for the purpose of supplementing Dislocated Worker funds to assist areas with the major layoffs that have occurred in the effected agencies. Participants must meet the Dislocated Worker eligibility criteria.

- 2. Several areas have contacted WSID with questions regarding the Community Partnership NEG. The main concern seems to be the ability to serve past employees of the Liquor Control Board. A majority of those employees are considered retail employees, and the retail occupation appears to be in demand on a statewide basis.***

Individuals must meet the Dislocated Worker criteria (WIA Sec. 101(9)) in order to be served under this NEG. This includes the determination that the Dislocated Worker is **unlikely to return to a previous industry or occupation**.

State Policy 3920 Revision 1 (July 11, 2012) requires local procedures to define what constitutes a determination that a worker is “unlikely to return to a previous industry or occupation”.

If individuals targeted by this grant have been determined to be unlikely to return to a previous industry, i.e. government, as listed in the North American Industry Classification System (NAICS), then they would be eligible for services under this NEG.

- 3. When it became apparent that the Liquor Control employees were going to be laid off, some left for other jobs and the agency then hired temporary workers to fill the gap until the stores were closed. Are these temporary workers eligible to participate in this Grant? If not, is there a specific time frame of months on the job that is required for a worker to be considered eligible to be served under this NEG?**

This grant is designed to serve those **permanent** employees of the agencies that had to downsize due to either a change in the law or lack of funding. Individuals who were hired as temporary employees as described in the above question would not be eligible for services under this grant but may be eligible for services under other WIA formula programs.

- 4. One local area has an applicant who received a layoff for June 30, 2012 and took a lesser position (same agency). He subsequently received another letter indicating his position will end November 1, 2012. Is he eligible for training under this grant given that he is currently employed? He is trying to upgrade his skills now.**

WIA Sec.101(9)(B) includes the following criteria to be considered a Dislocated Worker:

- a. (i) An individual who has been 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; or  
(ii) An individual who is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days.
- b. An individual meeting the definition of Dislocated Worker under WIA Sec. 101(9)(B) does not have to meet the unemployment compensation criteria found at Sec. 101(9)(A)(ii).

If the individual has received a layoff notice as part of a permanent closure or substantial layoff based on the criteria above (not a general layoff notice under 101(9)(A)(i)), and meets all other conditions contained in the grant agreement, the individual would be considered a Dislocated Worker and would potentially qualify for training services according to 20 CFR 663.310(a). 20 CFR 663.310(a) specifies that training services may be made available to Dislocated Workers who are eligible for intensive services, have received at least one intensive service, and have been determined unable to obtain employment through such services.

#### **References:**

- WIA Section 101(9) & (24)
- 20 CFR 663.230 & 663.105
- [WIA Policy 3920 Revision 1 - Dislocated Worker Eligibility Determination](#)

#### **Website:**

[http://www.wa.gov/esd/1stop/policies/state\\_guidance.htm](http://www.wa.gov/esd/1stop/policies/state_guidance.htm)

#### **Direct Inquiries To:**

Bob Isom, Grants Administration  
WorkSource Standards & Integration Division  
(360) 725-9500