

Workforce Development Council of Seattle-King County

Policy #02-2001

~ WIA Adult and Dislocated Worker Registration and Exit ~

DRAFT FINAL

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Committee: ECC

Category: Internal External

Purpose

The Workforce Investment Act (WIA) creates results-based adult employment and training programs. One of the keys to such a program is a consistent and comparable method for registering and exiting participants. The purpose of this policy is to establish the circumstances and eligibility verification guidelines in which service providers deliver services to WIA Title I participants and to account for customer choice in the process.

Reference

Workforce Investment Act [(P.L. 105-220) Title I, Sections 101(9), 134 & 136]

20 CFR Parts 652 et al; 662.240; 663.105; 663.110; 663.115(a)(b); 663.200; 663.240; 663.310; 663 Subpart A, B, and C

U.S. Department of Labor (USDOL) Training and Employment Guidance Letter No. 7-99

Washington State ~~WIA~~ Policy [1002](#), 3636, [3920 & 3640 & 3641](#) [1009](#)

Self-sufficiency Standard for Washington State (Dr. Diana Pierce, University of Washington, September 2001)

WDC Policy #07-2001 Self-Sufficiency Policy

~~[Jobs for Veterans Act of 2002 \(P.L. 107-288\)](#)~~

Training and Employment Guidance Letter No. 5-03

USDOL/ETA TEGL 17-05

~~[Washington WorkSource Service Delivery System Policy 1002](#)~~

Policy and Guidance

For the purposes of this policy:

- A “service provider” is an organization or its employees who deliver services funded by WIA Title I.
- A “customer” is any job seeker or dislocated worker.
- A “participant” is any job seeker or dislocated worker participating in WIA who will be counted under the WIA performance measures.
- For the purposes of this document, “self-sufficiency” is defined in the *Self-Sufficiency Standard for Washington State* (Dr. Diana Pierce, University of Washington, September 2001).

This policy does not apply to employer services.

Prior to Program Participation

Customers entering any WorkSource Center or Affiliate will be provided with information about all services available in the Seattle-King County WorkSource System. This information may be provided in multiple formats, including orientations, printed handouts and on-line. Customers will receive enough information about the services available so they may self-refer or be referred to the appropriate provider and request that the provider determine their eligibility for the services desired.

WDC service providers and staff must provide information to covered persons, [including eligible veterans and their spouses \(see Attachment D for definitions\)](#), on the services available under Department of Labor job training programs. WDC service providers and staff have a responsibility to inform covered persons of their right to priority for employment and training services. This information ~~can~~ must be provided [at first contact with covered persons for any program or service. Notification of priority status can be provided](#) in a number of ways, including verbally, in writing, ~~during orientation, assessment, or enrollment~~ [or online](#).

SIGNIFICANT STAFF-ASSISTED SERVICES

In a workforce investment setting significant staff-assisted service is any assistance provided by staff beyond the informational activities described above regardless of the length of time involved in providing such assistance. Significant staff involvement includes a staff member’s assessment of a participant’s skills, education, or career objectives in order to achieve any of the following:

- Assist participants in deciding on appropriate next steps in the search for employment, training, and related services, including job referral;
- Assist participants in assessing their personal barriers to employment; or
- Assist participants in accessing other related services necessary to enhance their employability and individual employment related needs.

Staff-assisted services are captured in SKIES. They may be entered either as seeker services or under a Service Plan. Accurate data entry of types of services and dates of service are critical to implementation of the Common Measures system in Washington State.

In an effort to avoid misinterpretation and provide consistency across all programs, a Chart of Statewide Staff-Assisted Services (referred to as the Services Chart in this document) defines each service and its applicability to participation and performance measurement.

The Chart indicates which statewide services commence service participation for WIA programs, Trade Act, and Wagner Peyser programs (including Veterans, and WorkFirst). Additional columns indicate which services extend the exit date and which services count towards performance participant calculations. The Chart is available at: <http://www.wa.gov/esd/1stop>.

Examples of services or activities that do not trigger participation, or do not extend an exit date include: eligibility determination; case management activities involving gathering information on the participant's employment status, educational progress or need for additional services; post-employment follow-up; and income-support payments, e.g. UI benefits, TANF payments. Also, not all services reported in SKIES are applicable to common measures. For example, locally-defined services and follow-up services are excluded from common measures calculations.

SECTION 3: PROGRAM PARTICIPATION

The state submits reports to the Department of Labor for each program. These reports include: (1) count of the number of participants who received "qualifying" services and (2) those who exited and are included in the performance measures calculations. Two different terms are used in this policy to distinguish these.

Performance Participant — is an individual who is subject to performance measures calculations and:

1. is determined eligible to participate in the program; and
2. receives a significant staff-assisted service funded by the program at either a physical location or remotely through electronic technologies; and
3. exits the program

The first step to serving a customer in WIA programs is an accurate but brief assessment of the customer's eligibility, needs and career goals. The service provider will provide qualifying intensive and/or training services if:

- The customer's needs can be met with additional WIA services;
- WIA services will help the customer achieve his or her career goals; and

- The customer is eligible for the WIA services needed.

For WIA, a performance participant is one who is enrolled in WIA, receives a WIA-funded qualifying service, and has been identified as an exiter. This participant is included in the WIA performance calculations.

WIA service participants who received self-service or informational activities only are not considered to be WIA performance participants. Section 136(b)(2)(A) of the Workforce Investment Act prohibits individuals who participate exclusively in self-service or informational activities from inclusion in WIA performance calculations.

Date of Participation – is the date of the initial program-funded qualifying service. As such, the date of participation may be different across programs. In this sense, it is unlike the exit date, which is common across all programs. Individuals participating in multiple programs will be counted as a participant in each of the programs.

If a participant has completed his or her Individual Employment Plan (IEP) and is employed in a job that the service provider reasonably expects will lead to self-sufficiency and will be retained and no further qualifying services are planned the program outcome information in SKIES will be completed.

If the job will not lead to self-sufficiency, or if a participant asks to continue to receive services service providers will reassess the participant. If this reassessment shows that continuing to receive WIA Title I supports and services will result in the participant gaining the skills and/or supports needed to attain and retain employment that will lead to self-sufficiency, the service provider may continue the participant’s services.

Exit

Exit – is defined as a participant who has not received a qualifying service funded by the program, or funded by a partner program for 90 consecutive calendar days and is not scheduled to receive future services. This definition supports the integrated service philosophy and acknowledges that a program exit is really an exit from the WorkSource system.

Exit Date – is a system-derived date determined after a participant has not received any qualifying service for 90 consecutive calendar days and is not scheduled to receive future services. The exit date is applied retroactively, after a 90 day period without qualifying services, to the last day on which the individual received a qualifying service provided by any program, i.e. the date the last qualifying service was completed in the system. Individuals who are participating in more than one program will have a single common exit date.

Due to these changes in defining an exit and deriving an exit date, SKIES terminology for two fields on the Seeker Programs screen has been renamed. The “Exit Outcome” and “Exit Date”

fields on the Seeker Programs–Program Enrollment screen in SKIES will be renamed as “Completion Outcome” and “Program Completion Date”. These fields should reflect when and why program services have ended.

The program completion date may or may not coincide with the system-derived actual exit date. This is particularly true if subsequent qualifying services from another program, such as W-P, are provided prior to the end of the 90-day period. Allowing staff to enter a program completion date provides program administrators some flexibility to maintain accountability standards for each service provider, irrespective of the actual exit date. It may also expedite the State’s selection of participants for the customer satisfaction surveys, rather than wait for the 90 days before an actual exit determination.

Gap in Service (HOLD)

Any gap in service (HOLD) must be documented and include the participant’s intent to resume participation when circumstances are resolved. Reasons for placing a participant in HOLD status include: delay before the start of training; health/medical condition; providing care for a family member; jury duty; incarceration; and temporary move from the area, including National Guard or other military duty. A participant is not considered to be exited if there is a gap in service (hold) greater than 90 days but less than 180 days.

Exit Exclusions

A participant who exits from the system for one of the following reasons is excluded from all measures: Institutionalization; Health/Medical; Family Care; Deceased; Reservists Called to Active Duty; Relocated to a Mandated Program (Youth), or Invalid/Missing SSN.

Exclusions may be allowed for up to 3 quarters following the exit quarter. Exclusions determined subsequent to the exit quarter must be recorded in the Follow-up Plan indicating the reason and source documentation. For example, a participant who entered unsubsidized employment in the quarter after exit and sustains a serious injury in the second quarter, may be excluded due to health/medical issues. This exclusion removes the participant from all measures, including the Entered Employment Rate which had been a positive outcome.

The “Completion Outcome” field in SKIES is the primary source for exit exclusions. However, exclusions noted in the “Completion Outcome” field may not be applicable if the actual derived exit date is subsequent to the “Program Completion Date”. For example, an individual is no longer able to participate in WIA services due to incarceration. If the completion outcome is entered into SKIES before the expiration of the 90-day period, then it is possible for the individual, if released early, to receive subsequent qualifying services still within the 90-day window. This action would extend the point of exit and void the WIA program exclusion. Cases like this can occur when staff do not wait for the 90 days to elapse without a qualifying service before entering the completion outcome and program completion date.

Common Measures definitions and parameters are explained in WorkSource Delivery System policy #1002. This information is available at <http://www.wa.gov/esd/policies/systems.htm>

Eligibility Verification

When working with an adult or dislocated worker participant for WIA services, service providers must ensure that the individuals are eligible in accordance with the eligibility requirements for WIA (age, selective service registration, and citizenship, or eligible non-citizen) as defined in WIA Section 101 (9). Each file must include a completed application for each applicant and documents that confirm eligibility. All questions on the intake form must be answered, and both the applicant and intake staff must sign the intake form. All documents supporting eligibility must be included in the participant's file and available for review by the administrative entity. Examples of acceptable documentation are included in Attachment A. The applicant must be informed that all information is subject to verification and that false information is grounds for termination and possible prosecution under the law.

If any eligibility issues arise during the course of monitoring the administrative entity will send a letter to the service provider detailing the nature and extent of the issue. The service provider will be expected to investigate the eligibility issue and resolve the question to the satisfaction of the administrative entity according to the law and regulations.

The order of priority for methods of verification is:

1. Documentary evidence identified in Attachment A or approved by the WDC.
2. If documentary evidence is not available or if it cannot be provided when time is of the essence, collateral contacts that confirm the participant's eligibility by someone outside the participant's immediate family (Attachment B).
3. Notary-certification of eligibility criteria that includes reason why other documentation is unavailable (Attachment C).

Local operational definitions for the purpose of eligibilities are listed in Attachment D.

Attachment A:

Acceptable Documentation for Determining Adult and Dislocated Worker Participant Eligibility

Eligibility Criteria for Adult and Dislocated Worker	Conditions	Acceptable Documentation
<i>Age</i>	<i>Must be 18 years of age or older</i>	<ul style="list-style-type: none"> ▪ <i>Birth Certificate or hospital record of birth</i> ▪ <i>Drivers License or DMV Identification</i> ▪ <i>Baptismal Certificate</i> ▪ <i>Voter Registration Card</i> ▪ <i>DD Form 214 (Report of Transfer or Discharge)</i> ▪ <i>Alien Registration Card</i> ▪ <i>Food Stamp Records or Medical Coupons</i> ▪ <i>School enrollment documents</i> ▪ <i>Naturalization Certificate</i> ▪ <i>Public Assistance Records</i> ▪ <i>US Passport</i> ▪ <i>Native American Tribal Document(s)</i> ▪ <i>Other documents or procedures as provided by WDC policy</i>
<i>Citizenship or Eligible non-citizen</i>	<i>Legally entitled to employment within the U.S. and territories</i>	<ul style="list-style-type: none"> ▪ <i>Social Security Card</i> ▪ <i>Birth certificate</i> ▪ <i>Any form of documentation as defined by Immigration and Naturalization Service (INS) for work eligibility</i> ▪ <i>Other documents or procedures as provided by WDC policy</i>
<i>Selective Service Registration</i>	<i>Almost all male U.S. citizens, and male aliens living in the U.S., who are 18 through 25, are required to register with Selective Service.</i>	<ul style="list-style-type: none"> ▪ <i>Selective Service Registration Card</i> ▪ <i>Receipt of registration</i> ▪ <i>On-line confirmation or Telephonic verification with Selective Service</i> ▪ <i>DD Form 214 (Report of Transfer or Discharge)</i> ▪ <i>Other documents or procedures as provided by WDC policy</i>

<p><i>Adult participant</i> [Reference: WIA Section 134(d)(4)(E) 663.600]</p>	<p><i>Service Priority under Local Unified Plan:</i></p> <p><i>Recipients of public assistance and other low-income individuals. Veterans or other covered persons within this group shall be given first priority,</i></p> <p><i>Veterans or other covered persons per WIA State Policy 3640 & 3641 <u>1009</u>.</i></p> <p><i>Individuals whose income is under 175% percent of poverty.</i></p> <p><i>Those whose incomes are at or above 175% of the federal poverty level, but who have one or more of the following barriers:</i></p> <ul style="list-style-type: none"> ▪ <i>lacks basic skills (including Limited English Proficiency, below 9th grade education)</i> ▪ <i>high school dropout</i> ▪ <i>lacks occupational skills needed to get and keep a livable wage job</i> ▪ <i>lacks significant work history</i> ▪ <i>individual with a disability</i> ▪ <i>long-term unemployed</i> ▪ <i>exhausted Unemployment Insurance</i> ▪ <i>single parent</i> ▪ <i>requires substance abuse treatment for employment</i> ▪ <i>ex-offender</i> ▪ <i>homeless</i> ▪ <i>displaced homemaker</i> 	<ul style="list-style-type: none"> ▪ <i>Copy of authorization to receive cash public assistance</i> ▪ <i>Copy of Public Assistance Check</i> ▪ <i>Medical Card Showing Grant Status</i> ▪ <i>Public Assistance Identification Card Showing Cash Grant Status</i> ▪ <i>Refugee Assistance Records</i> ▪ <i>Authorization to obtain food stamps</i> ▪ <i>Social security administration disability records</i> ▪ <i>Veterans administration letter/records</i> ▪ <i>Vocational rehabilitation letter</i> ▪ <i>Workers compensation record</i> ▪ <i>Written statement from shelter</i> ▪ <i>Alimony Agreement</i> ▪ <i>Divorce Record</i> ▪ <i>Award Letter from Veterans Administration</i> ▪ <i>Bank Statement (Direct Deposit)</i> ▪ <i>Compensation Award Letter</i> ▪ <i>Court Award Letter</i> ▪ <i>Employer Statement/Contract</i> ▪ <i>Farm or Business Financial Records</i> ▪ <i>Housing Authority Verification</i> ▪ <i>Pay Stubs</i> ▪ <i>Rental income</i> ▪ <i>Strike benefits</i> ▪ <i>Child Support Legal Agreement</i> ▪ <i>Pension Statement</i> ▪ <i>Public Assistance Records</i> ▪ <i>Quarterly Estimated Tax for self-employed persons (schedule c)</i> ▪ <i>Social security benefits</i> ▪ <i>UI documents and/or printout</i> ▪ <i>Medical records/statements of substance abuse treatments</i> ▪ <i>Assessment/test of disabilities</i> ▪ <i>Applicant Statement</i> ▪ <i>Telephone verification</i> ▪ <i>Notary-certification in absence of other documents</i> ▪
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<p><i>General Dislocated Worker</i></p> <p><i>[Reference: WIA Section 101(A)]</i></p>	<p><i>(1). Terminated or Laid off, or who has received notice of termination or layoff, from employment. Veterans or other covered persons within this group shall be given first priority.</i></p> <p><u><i>All three following criteria (1a, 1b, 1c) must be met to qualify:</i></u></p>	<ul style="list-style-type: none"> ▪ <i>Lay-off notice or termination notice from employer or pay stubs</i> ▪ <i>Contact with last employer</i> ▪ <i>UI-Guide Screen</i> ▪ <i>Certification of expected Separation (Federal Civilian Employees)</i> ▪ <i>Notary-certification in absence of other documents</i>
	<p><i>(1a). Eligible for or has exhausted entitlement to unemployment compensation; or</i></p>	<ul style="list-style-type: none"> ▪ <i>UI-Guide screens or adjudication decision</i>
	<p><i>(1b). Has been employed for a duration sufficient to demonstrate to the appropriate entity at a one-stop center referred to in WIA section 134 (c) attachment to the workforce, but is not eligible for UI due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and</i></p>	<ul style="list-style-type: none"> ▪ <i>UI-Guide screens</i> ▪ <i>Pay stubs</i> ▪ <i>Other documents or procedures as established by WDC policy</i>
	<p><i>(1c). Is unlikely to return to a previous industry or occupation</i></p>	<ul style="list-style-type: none"> ▪ <i>Labor market information</i> ▪ <i>Labor analysis</i> ▪ <i>Open job orders</i> ▪ <i>Comparison of current job listing wages to previous wage</i> ▪ <i>Local demand list</i> ▪ <i>Statement with ratio of openings to job seekers</i> ▪ <i>Skills need to be updated</i> ▪ <i>Available wages below 80% of wage at separation</i> ▪ <i>Other documents or procedures as established by WDC policy</i>

<p><i>Plant Closure</i></p> <p><i>[Reference: WIA Section 101(B)]</i></p> <p><i>180 Days Prior Notice</i></p> <p><i>Public Notice</i></p> <p><i>Self Employed or Unemployed</i></p> <p><i>[Reference: WIA Section 101(C)]</i></p>	<p><i>(2). 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 as defined in local WDC policy at, a plant, facility or enterprise;</i></p> <p><i>(3). Is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or</i></p> <p><i>(4). For the purposes of eligibility to receive services other than training services in WIA section 134(d)(4), intensive services described in section 134(d)(3), or support services, is employed at a facility at which the employer has made a general announcement that the facility will close.</i></p> <p><i>(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. Veterans or other covered persons within these groups shall be given first priority.</i></p>	<ul style="list-style-type: none"> ▪ <i>Lay-off or termination notice from employer</i> ▪ <i>WARN</i> ▪ <i>Letter from employer</i> ▪ <i>Newspaper article</i> ▪ <i>Tax returns</i> ▪ <i>Business license</i> ▪ <i>Document that disaster caused going out of business</i> ▪ <i>Newspaper articles</i> ▪ <i>Foreclosure notice</i> ▪ <i>Labor market information</i> ▪ <i>Income & Expense Statement</i> ▪ <i>Bankruptcy proceedings</i> ▪ <i>Insufficient debt-to-asset ratio</i> ▪ <i>Depressed prices or markets</i> ▪ <i>Notary-certification in absence of other documents</i> ▪ <i>Other documents or procedures as established by WDC policy</i>
<p><i>Displaced Homemaker</i></p> <p><i>[Reference: WIA Section 101(D)]</i></p>	<p><i>(6). Is a displaced homemaker. An individual who has been providing unpaid services to family member(s) in the home and who—</i></p> <p><i>(6a) has been dependent on the income of another family member but is no longer supported by that income; and</i></p> <p><i>(6b) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.</i></p> <p><i>The definition in WIA Section 101(10) includes only those individuals who were dependent on a family member's income. Those individuals who have been dependent on public assistance may be served in the adult program. Veterans or other covered persons within this group shall be given first priority.</i></p>	<ul style="list-style-type: none"> ▪ <i>Separation or divorce decree</i> ▪ <i>Divorce Papers</i> ▪ <i>UI – Guide screen</i> ▪ <i>Tax Returns</i> ▪ <i>Notary-certification in absence of other documents</i> ▪ <i>Documents affirming spouse's notification of layoff or UI claim</i> ▪ <i>Other documents or procedures as established by WDC policy</i> ▪ <i>Evidence of unsuccessful job search or wage progression activities.</i>

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I ATTEST THAT THE DOCUMENT INSPECTION VERIFIED THE PRIMARY/SECONDARY ITEMS REQUIRED TO DETERMINE ELIGIBILITY FOR THE WIA PROGRAM.

Case manager's signature

Date

Attachment D

LOCAL OPERATIONAL DEFINITIONS

Adult Priority Groups for Service—as described in the Local Unified Plan:

1. Recipients of public assistance and other low-income. Veterans or other covered persons within this group shall be given first priority.
2. Veterans or other covered persons per WIA State Policy No. ~~3640 & 3641~~ 1009.
3. Individuals whose income is under 175% of the federal poverty level.
4. Those whose incomes are at or above 175% of the federal poverty level, but who have one or more of the following barriers:

• lacks basic skills (including Limited English Proficiency)	• long-term unemployed • exhausted Unemployment Insurance
• high school dropout	• single parent
• lacks occupational skills needed to get and keep a livable wage job	• requires substance abuse treatment for employment
• lacks significant work history	• offender
• individual with a disability	• homeless
	• displaced homemaker

A “covered person” is one of the following:

Veteran means a person who was in active military service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes.

Eligible Spouse as defined in section 2(a) of JVA (38 U.S. C. 4215(a)) means the spouse of any of the following:

- Any veteran who died of a service-connected disability;
- Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days: (i) Missing in action;(ii)captured in line of duty by a hostile force; or (iii) forcibly detained or interned in line of duty by a foreign government or power;
- Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs;
- Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.

- ~~A veteran who is an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable; or~~
- ~~A recently separated veteran is any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service; or~~
- ~~The spouse of:~~
 - ~~A veteran who died of a service-connected disability;~~
 - ~~a member on active duty who (at time of spouse's application) is listed as missing in action, captured in the line of duty, or forcibly detained; or~~
 - ~~A veteran with a total disability from a service-connected disability or one who died while being evaluated for it.~~

Dislocation 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, under WIA Section 101(9)(C): a status of an unemployed worker as provided below and documented in conformance to Attachment A.

- A. *General economic conditions resulting in the dislocation of a self-employed individual in the community in which they reside include, but not limited to:*
 - *Failure of one or more businesses to which the self-employed individual supplied a substantial proportion of products or services;*
 - *Failure of one or more businesses from which the self-employed individual obtained a substantial proportion of products or services;*
 - *Substantial layoff(s) from, or permanent closure(s) of, one or more plants or facilities that support a significant portion of the state or local economy; and/or*
 - *Depressed price(s) or market(s) for articles produced by the self-employed individual.*
- B. *Where self-employed farmers, ranchers, or business operations are likely to be terminated as evidenced by one or more of the following conditions:*
 - *Foreclosure or notice of intent to foreclose*
 - *Inability of farm/ranch or business to turn a profit during preceding 12 months*
 - *Entry of self-employed person into bankruptcy proceedings*
 - *Inability to make four payments on loans secured by tangible business assets resulting in a loss that directly affects closure*
 - *Inability to obtain capital necessary to continue operations*
 - *Debt-to-asset ratio sufficiently high to be indicative of the likely insolvency of the farm/ranch or business.*
 - *Other events indicative of the likely insolvency of the farm, ranch or business.*

C. *Natural disasters include: any hurricane, tornado, storm, flood, high water, wind driven water, tidal wave, tsunami earthquake, volcanic eruption, landslide, mudslide, snow storm, drought, fire, explosion, or other catastrophe.*

Displaced homemaker: *an individual who has been providing unpaid services to family members in the home and a) has been dependent on the income of another family member but is no longer supported by that income, and b) is unemployed or underemployed and is determined to be in need of additional service to obtain or upgrade employment. Supporting documentation may include any of the following: separation or divorce decree, divorce papers, UI screen, tax returns, documents affirming spouse's notification of layoff or UI claim, or Notary-certification in the absence of other documents.*

General announcement of a plant closing *under WIA Section 101(9)(B)(ii) or (iii): an announcement of an upcoming plant or division closure as demonstrated by one of the following: (a) written notice of layoff or termination from employer that confirms plant status, (b) WARN notice, (c) newspaper article, (d) documentation that disaster necessitated business closure or layoff, (e) foreclosure notice, (f) Notary-certification in absence of other documents (Notary-certification must include reason why other documentation is unavailable).*

Substantial layoff *under WIA Section 101(9)(B)(i): any reduction in force of a least 33% of a company's workforce that is not the result of a plant closing and which result in an employment loss at a single site of employment during any 30-day period.*

Unlikely to return to a previous industry or occupation: *a status of an unemployed worker as having limited opportunities for employment or reemployment in the same or similar occupation in the area in which the individual resides as confirmed by labor market information and/or labor analysis by the Employment Security Department (Qualifying Occupations List) or recent local labor market events.*

Wage recovery of dislocated worker: *at not less than eighty (80) percent of wages at time of layoff.*