

**Nevada Department of Employment, Training and Rehabilitation
(DETR)
Workforce Innovation and Opportunity Act (WIOA)
State Compliance Policy (SCP)**

Policy Number: 1.17

Originating Office: DETR; Workforce Investment Support Services (WISS)

Subject: Documenting Veteran Status

Issued: NEW; replacing WIA State Compliance Policy 1.17, Approved GWDB Executive Committee, 3-15-17; Ratified GWDB, 04-20-17

Purpose: To provide Local Workforce Development Boards (LWDB's) Chief Elected Officials (CEO's) and American Job Center of Nevada (One-Stop Career Center Operators) with the Workforce Innovation and Opportunity Act (WIOA) requirements for documenting Veteran status.

State Imposed Requirements: This directive may contain some state-imposed requirements. These requirements are printed in **bold, italic type**.

Authorities/References: Workforce Innovation and Opportunity Act P.L. 113-128, Source Documentation Requirements for Data Element Validation,

ACTION REQUIRED:

Upon issuance bring this guidance to the attention of all WIOA service providers, LWDB members and any other concerned parties. Any LWDB's policies, procedures, and or contracts affected by this guidance are required to be updated accordingly.

Background:

A veteran or eligible spouse, as described in SCP 1.18, still must meet each WIOA program's eligibility criteria to receive services under programs authorized by WIOA. As such, programs must document each eligibility requirement, as required, in the Management Information System (MIS) and participant case file.

This policy issues guidance for documenting Veteran and Eligible Spouse status in eligibility, and The US Department of Labor (DOL) Data Element Validation (DEV) for WIOA Adult, Dislocated Worker and Out of School Youth programs.

Policy and Procedure:

Documenting Eligible Veteran Status

DOL DEV identifies two options for documenting veteran status.

- DD214 (Member 4)
- Cross match with veterans' data (Note: This refers to a computer match initiated by the State with a veteran's organization. At this time, no such cross match system has been put in place.)

The DD214 will identify the following:

- The character of the discharge (Honorable, General, Dishonorable, etc.)
- The dates of service (MIS data point; recently separated requirement; qualifying dislocation date)
- Whether a veteran is disabled (MIS data point; Development of Individual Employment Plan)
- The type of veteran (federally mobilized, ref SCP 1.18 or WIOA Sec. 3(63)(A) and 38 U.S.C. 101)
- Any other factor that would assist in determining program eligibility or providing better service to veterans

Veterans and their Eligible Spouse may be determined WIOA eligible through multiple avenues. In each instance, service providers must document the specifics, per board policy, ensuring the capture of each required point of eligibility, participation and DEV as required. (Reference SCP 1.18, 1.6, 2.1.)

Because veteran status is not an eligibility requirement for WIOA, services should not be delayed if the veteran does not have service documentation. If the veteran meets eligibility for one of the WIOA programs, Staff Assisted Services may be provided on the basis of self-attestation, and identified as a veteran in the MIS while waiting for documentation of veteran status to be provided. However, the service provider must ask the veteran to obtain the paperwork or assist the veteran to obtain the documentation as DEV does not allow self-attestation in lieu of the DD214. If this approach is unsuccessful, the service provider must change the data of the individual to a nonveteran. (Instructions as to veteran documentation retrieval are provided further in this document) The service provider is responsible for insuring that the appropriate document(s) are provided and placed in the applicant/participant case file.

Eligible Veteran Status MIS Distinctions (WIOA Data Element Validation)

If the Service Veteran field is marked yes in the MIS, a copy of the DD-214(Member 4) Report of Separation or Veterans Administration Letter containing required data must be maintained in the client's file. Additionally, each program eligibility requirement must be addressed and properly documented in the MIS and participant case file as required by SCP.

Below are the current distinctions in the MIS as required by the DOL.

- The individual is a person who served in active U.S. military, naval, or air service for a period of less than or equal to 180 days, and who was discharged or released from such service under conditions other than dishonorable.

- The participant served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge or was discharged or released because of a service connected disability, or as a member of a reserve component under an order to active duty pursuant to section 167(a), (d), or (g), 673(a) of Title 10, U.S.C., served on active duty during the period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.
- The participant is: (a) the spouse of a person who died on active duty or of a service connected disability, (b) the spouse of any member of the Armed Forces serving on active duty who at the time of application for assistance under this part, is listed, pursuant to 38 U.S.C. 101 and regulations issued there under, by the Secretary concerned, in one or more of the following categories and has been listed for more than 90 days: (i) missing in action (ii) captured in the line of duty by a hostile force or (iii) forcibly detained or interned in the line of duty by a foreign government or power, or (c) the spouse of any person who has a total disability permanent in nature resulting from a service connected disability or the spouse of a veteran who died while a disability so evaluated was in existence.

Eligibility

WIOA Program Eligibility can be found in State Compliance Policy 1.6, and 2.1 and as indicated below;

General Eligibility as in Age (WIOA Sec. 3(2), Employment Authorization, Selective Service Registration (WIOA Sec 189)

WIOA Adult Program: WIOA Sec 3(2), 20 CFR §680.120, 20 CFR §680.130, 20 CFR §680.210

WIOA Dislocated Worker Program: WIOA Sec. 3(15), 20 CFR §680.120, 20 CFR §680.130, 20 CFR §680.210, 20 CFR §680.660

WIOA Displaced Homemaker: WIOA Sec. 3(16), 20 CFR §680.120, 20 CFR §680.600, 20 CFR §680.630

WIOA Youth- Out of School: WIOA Sec. 129 and 20 CFR §681

Career Services: WIOA Sec. 134(c)(2), 20 CFR §680.120-130

Training Services: WIOA Sec. 134(c)(3), 20 CFR §680.210

Requesting Copies of the Report of Separation (DD-214):

In the event the client is unable to produce a copy of their separation papers, a free copy can be requested on-line at Military Personnel Records at:

<http://www.archives.gov/veterans/military-service-records/> and includes the following:

- Required information to make the request
- Where to send the request
- Response time
- Checking the status of the request

If a request for Military Service Records is made on-line, a signed and dated request must also be mailed or Faxed to 314-801-9049 at the National Personnel Record Center (NPRC):

Mailing Address and Phone Number:
National Personnel Records Center
Military Personnel Records
1 Archives Drive
St. Louis, MO 63138
Phone: (314) 801-0800
Fax Number: (314) 801-9049

Emergency Requests: If your request is urgent state the nature of the emergency and deadline in the "Comments" section of [eVetRecs](#) or in the "Purpose" section of the [Standard Form \(SF\) 180, Request Pertaining to Military Records](#). Fax your request to their Customer Service Team at 314- 801-0764. Call their customer service staff at 314-801-0800 if you have questions or require same-day service. Due to the large number of calls received at this number, hold times are often long.

Local Board Policy Requirements:

Local boards must have written policy and procedures describing how service providers will document all aspects of a Veteran/Eligible Spouse status that qualifies them in eligibility and for services in each WIOA program.

Reference State Compliance Policies 1.6 Eligibility for WIOA Adult and Dislocated Worker programs, 1.8 WIOA Program Design for program definition, required file content and data entry requirements and WIOA Source Documentation Requirements Data Element Validation and Data and Performance Desk Reference at:
http://detr.state.nv.us/workforce_investment_pages/workforceinvestment.htm