



# Montana Department of LABOR & INDUSTRY

1 Division: Workforce Services Division  
2 Category: WIOA  
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5 Policy No.: 12-18  
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## 7 Dislocated Worker Program Policy

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9 **Background:** The Workforce Innovation and Opportunity Act's (WIOA) Dislocated Worker  
10 Program is designed to help individuals get back to work as quickly as possible and overcome  
11 barriers to employment; for example, difficulty transferring specialized skills to other occupations or  
12 industries or a market decline for certain skill sets. It also assists separating veterans who wish to  
13 enter or re-enter the civilian workforce. The program provides a customer-centered workforce  
14 development system, offering all eligible job seekers access to a continuum of career and job-driven  
15 training services. Job Service Montana (JSM) offices integrate service delivery across programs to  
16 increase access to an appropriate mix of services needed to obtain, retain, and enhance skills and  
17 employment.  
18

19 **Scope:** This policy applies to all service providers operating WIOA Title I Dislocated Worker or  
20 National Dislocated Worker Grant programs, WIOA Title I Dislocated Worker or National Dislocated  
21 Worker Grant program manager(s), WIOA fiscal officers, and the WIOA monitoring team. This policy is  
22 effective March 20, 2024.  
23

### 24 Policy:

#### 25 Required for Dislocated Worker Participants:

- 26 • Determination of eligibility. Please refer to the Dislocated Worker Verification Worksheet  
27 (WIOA.11) for a complete list of acceptable documentation.
  - 28 • Comprehensive assessment;
  - 29 • An Individualized Employment Plan (IEP) developed in partnership with the participant; and
  - 30 • Case management (including follow-up as applicable).
- 31

#### 32 Dislocated Worker Eligibility

33 To receive Title I Dislocated Worker individualized career and training services, an individual must  
34 provide documentation of the following two (2) general eligibility requirements and one (1) of the  
35 dislocated worker status requirements listed in the definitions section (starting at line 44):

- 36 • Be a U.S. citizen or registered alien or eligible to work in the United States; and

- Meet Selective Service Registration requirements, if applicable.

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### 39 Service Priority for Individualized Career Services and Training Services:

40 Veterans and eligible spouses receive priority of service for all U.S. Department of Labor (USDOL)-  
41 funded job training programs, including WIOA programs.

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### 43 Definitions

#### 44 Dislocated Worker:

- 45 • Terminated or laid off or received a notice of termination or layoff from employment,  
46 including a separation notice from active military service (under other than dishonorable  
47 conditions). The individual is eligible for or has exhausted entitlement to unemployment  
48 compensation; or was employed for a duration sufficient to demonstrate attachment to the  
49 workforce, but is not eligible for unemployment compensation due to insufficient earnings or  
50 previous work for an employer who was not covered under a state unemployment  
51 compensation law; and is unlikely to return to a previous industry or occupation; or
- 52 • Terminated or laid off or received a notice of such from employment because of a permanent  
53 closure of a plant, facility, military operation or enterprise. The individual is employed at a  
54 facility at which the employer made a general announcement of closure within 180 days; or  
55 for the purposes of eligibility to receive services other than training services, career services,  
56 or supportive services, the individual is employed at a facility at which the employer made a  
57 general announcement that the facility or military installation will close; or
- 58 • Self-employed and unemployed because of general economic conditions in the community in  
59 which the individual resides or due to a natural disaster; or
- 60 • A displaced homemaker – please refer to Montana’s State Displaced Homemaker Policy; or
- 61 • A veteran’s spouse who experienced loss of employment as a direct result of the veteran’s  
62 permanent relocation.

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64 **Veteran:** An individual who served in the active military, naval, air, or space service; and who was  
65 discharged or released under conditions other than dishonorable.

66 **Veteran Eligible Spouse:** The spouse of any of the following individuals (eligibility is lost if the veteran  
67 or service member loses the status that is the basis for eligibility):

- 68 • Any veteran who died of a service-connected disability;
- 69 • Any veteran who has a total disability resulting from a service-connected disability as  
70 evaluated by the U.S. Department of Veteran Affairs or any veteran who died while the  
71 disability was in existence;
- 72 • Any member of the Armed Forces serving on active duty who is currently listed in one or more  
73 of the following categories and has been for more than 90 days:
  - 74 ○ Missing in action;
  - 75 ○ Captured in the line of duty by a hostile force; or
  - 76 ○ Forcibly detained or interned in the line of duty by a foreign government or power.

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### 78 Comprehensive Assessment

- 79 • Enrolled dislocated workers must be provided with a comprehensive assessment of their  
80 individual skill levels and service needs using testing and other assessment tools. An in-  
81 depth interview and evaluation to identify their employment barriers and appropriate  
82 employment goals must also be completed.
- 83 • Based on the assessment’s results, a complete Individual Employment Plan (IEP) is required  
84 for a participant to access individualized career and training services.

85 Individual Employment Plan (IEP)

- 86 • An IEP must be developed in partnership with the participant, using the IEP form (WIOA.16).
- 87 • The IEP identifies the participant’s current circumstances, goals, and the appropriate mix of
- 88 services and support needed to reach a realistic employment goal.
- 89 • The original IEP (signed by program staff and participant) must be maintained in the
- 90 participant’s file. The signed IEP is the acknowledgement that the participant has read and
- 91 agrees to the responsibilities and knows where to file a grievance or complaint. A signed
- 92 copy must be given to the participant.
- 93 • Case managers must open an IEP service in the Management Information System’s (MIS)
- 94 Employment Plan. The goals, objectives, and potential services, based on the information on
- 95 the IEP form, must be recorded in the MIS Employment Plan as well. In addition, case
- 96 managers must open and close on-going IEP related services provided in the MIS
- 97 Employment Plan.

98  
99 Dislocated Worker Services and Activities

100 Basic Career Services: Universally available to all individuals without being enrolled in the Dislocated  
101 Worker Program. Please refer to the WIOA Operations Manual for details.

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103 Individualized Career Services: Available to individuals enrolled in the Dislocated Worker Program.  
104 Please refer to the WIOA Operations Manual for details.

105  
106 Supportive Services: Available to an enrolled individual, enabling them to participate in WIOA  
107 activities and access services they can not obtain through other programs. Please refer to the  
108 Supportive Services Policy for details.

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110 Training Services:

111 Training services may be provided to participants and must include the following considerations:

- 112 • Participants in need of training to obtain or retain employment that leads to self-sufficiency
- 113 or wages comparable or higher than previous employment;
- 114 • Participants who are unable to obtain other grant assistance for such services, including
- 115 federal Pell Grants; or
- 116 • Participants who require assistance beyond that made available under other grant
- 117 assistance programs, including federal Pell Grants. In both cases:
  - 118 ○ The service provider must assist the participant with determining what financial
  - 119 assistance is needed, the application process, and any other necessary referrals.
  - 120 ○ Participants who obtain a Pell Grant must utilize the full Pell Grant for training costs
  - 121 and WIOA funds may assist with remaining needs. WIOA funds may also be used if
  - 122 the Pell Grant application is pending and training costs must be paid to begin
  - 123 training. Once a Pell Grant is awarded, the training provider must reimburse the
  - 124 service provider for WIOA funds applied to training costs.
- 125 • Training can be provided through a variety of contract processes or through Individual
- 126 Training Accounts (ITAs). Unless otherwise noted in the following list, training services must
- 127 be accessed through Montana’s Eligible Training Providers (ETPs).
- 128 • WIOA training funds may be used to assist with training that builds upon the participant’s
- 129 current education level in the quickest route possible. For post-secondary training, WIOA
- 130 funds will not pay for any training beyond a bachelor’s degree.

- 131 • In situations of co-enrollment with other WIOA and non-WIOA programs (i.e., TAA), the case  
132 manager will coordinate with the training provider and other programs to ensure the  
133 participant's training needs are met and there is no duplication of services. WIOA funding  
134 will always be a supplement to other grant assistance.
- 135 • Occupational skills training, including training for non-traditional employment (requires ETP);
- 136 • Private sector training programs (requires ETP);
- 137 • Skill upgrading and retraining (requires ETP);
- 138 • Entrepreneurial training (requires ETP);
- 139 • On-the-Job training/OJT (does not require ETP);
- 140 • Incumbent Worker Training/IWT (does not require an ETP);
- 141 • Adult education and literacy activities provided concurrently with or in combination with  
142 training services listed on lines 135-140 (does not require ETP);
- 143 • Customized training conducted with a commitment by an employer or group of employers to  
144 employ an individual upon successful completion of the training (does not require ETP);
- 145 • Job readiness training in combination with occupational training, OJT, IWT, programs that  
146 combine workplace training with related instruction, private sector training, skills upgrading  
147 and retraining, and/or entrepreneurial training;
- 148 • Transitional jobs; and
- 149 • Programs that combine workplace training with related instruction, which may include  
150 cooperative education and Registered Apprenticeship programs.

#### 151 152 Follow-up Services

- 153 • Follow-up services must be provided to Dislocated Worker Program participants who exit to  
154 self-employment, agricultural, railroad, or federal government employment for a minimum of  
155 4 quarters.
- 156 • During the follow-up period, quarterly contact should be made with the participant to obtain  
157 wage and employment information for use with WIOA performance indicators.
- 158 • Additional examples can be found in the WIOA Operations Manual.

#### 159 160 Case Management

161 Case management responsibilities include but are not limited to:

- 162 • Monthly contact with participants. If unable to make contact after six (6) attempts in a 90-  
163 day period, closing all services effective the date the services were last provided;
- 164 • Maintaining the participant file by recording all program services and case notes in the MIS  
165 and documentation in ECM (when applicable) within seven (7) working days and as  
166 service/contact occurs;
- 167 • Ensuring that a countable service is provided every 90 days (please see form WIOA.49 for a  
168 list of countable services that extend exit) and ending participant services and program  
169 enrollment when services are no longer provided.

#### 170 Monitoring and Technical Assistance:

- 171 • A formal monitoring will be conducted by the entity designated by the SWIB.
- 172 • The WIOA Dislocated Worker program manager will provide technical assistance to case  
173 managers.

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175 **References:**

- 176 • [20 CFR 678.430 Career Services](#)
- 177 • [20 CFR 680 Adult and Dislocated Worker Activities](#)
- 178 • [TEGL 12-19 National Dislocated Worker Grant Program](#)
- 179 • [TEGL 19-16 Adult and Dislocated Worker Programs](#)