

Eligibility

January 2005

- 1) Do you have information on military pay, whether or not it is included in determining eligibility for WIA? More specifically, does an individual's pay who discharges from the military count toward eligibility?***

Military pay by veterans is excluded from use in the determination of WIA eligibility. Please see WIA Federal Regulation at 667.255. It is as follows:

Sec. 667.255 Are there special rules that apply to veterans when income is a factor in eligibility determinations?

Yes, under 38 U.S.C. 4213, when past income is an eligibility determinant for federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded. This applies when determining if a person is a "low income individual" for eligibility purposes, (for example, in the WIA youth, Job Corps, or NFJP programs) and applies if income is used as a factor in applying the priority provision, under 20 CFR 663.600, when WIA adult funds are limited. Questions regarding the application of 38 U.S.C. 4213 should be directed to the Veterans Employment and Training Service.