

Adult and Dislocated Worker Program

November 2004

- 1) *Has the definition of a Dislocated Worker been changed? The Checklist on the WIA eligibility form (which I've been using) states that any terminated person can be a Dislocated Worker. On Step 5 on the SCOTI LE screen, it asks, "Were you laid off of your job through no fault of your own" I have seen a case when one of our contractors trained a person who admitted to being terminated for breaking agency rules. That was why she was classified as a Dislocated Worker.*

This definition is straight from WIA law section 101 (9) which has not changed.

- (9) Dislocated worker.--The term "dislocated worker" means an individual who--
- (A)(i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment;
 - (ii)(I) is eligible for or has exhausted entitlement to unemployment compensation; or
 - (II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 134(c), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and
 - (iii) is unlikely to return to a previous industry or occupation;
 - (B)(i) 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;
 - (ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
 - (iii) for purposes of eligibility to receive services other than training services described in section 134(d)(4), intensive services described in section 134(d)(3), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close;
 - (C) 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; or
 - (D) is a displaced homemaker.