

West Central Arkansas Workforce Development Board
Larry Carr, Chairman
P O Box 6409, Hot Springs, AR 71902

Defining Dislocated Worker Terms

Purpose:

To define terminology for determining Dislocated Worker status for Workforce Innovation and Opportunity Act (WIOA) eligibility.

Background: This policy establishes the definition of the following terms:

1. Unlikely to Return to Employment in a Previous Industry or Occupation
2. General Announcement of a Plant Closing
3. Unemployed as result of economic conditions in the community in which an individual resides or because of natural disasters utilized to determine Dislocated Worker status for WIOA training Services.

1. Unlikely to Return to Employment in a Previous Industry or Occupation

Unlikely to Return - may be defined in terms of family, personal or financial circumstances that may affect the likelihood of the individual's returning to his or her previous industry or occupation for employment. The definition does not need to be based solely on economic conditions and job availability. Unlikely to return to employment in a previous industry or occupation exist when an individual who is laid off without a recall date (or the recall date has passed) and falls into one of the following categories:

- A. The number of jobs in the applicant's previous industry/occupation is declining based on Labor Market Information (LMI) data;
- B. The applicant is dislocated from a job not found on the most recent local or state list of demand occupations (if applicable);
- C. Qualifications for occupation/industry changed and individual is no longer qualified;
- D. Finding employment in current occupation will require skills upgrading;
- E. Industry was represented by only one employer in area and is now out of business;
- F. Excess number of workers with similar skill sets and experience seeking limited employment opportunities in the region;
- G. Individual has had at least three (3) rejection letters from employers in the area for their current skill level, or other documentation of unsuccessful efforts to obtain employment in the prior industry or occupation;
- H. Individual cannot return to their previous industry or occupation because they have physical or other limitations, which would prevent reentry into the former industry or occupation, as documented by a physician or other applicable professional (e.g., psychiatrist, psychiatric social worker, chiropractor, etc.;

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Or

- I. Individuals that may have worked seasonally can be considered unlikely to work in a previous industry or occupation as a temporary or seasonal worker, for a variety of reasons such as:
- a) Change in family situation that requires higher income. Includes claim of financial hardship supported by documentation. (e.g. pay stubs, bank statements, family or business financial records, tax documents, public benefits award letters);
 - b) Disability that precludes returning to the same industry or occupation;
 - c) Natural disaster that results in lost wages;
 - d) Loss of agricultural land;
 - e) Mechanization (replaced manual labor with machinery); or
 - f) Any significant variance to normal seasonal employment patterns resulting in uncertain return-to-work dates.

Note: Individuals laid off on a temporary basis, with a specific return date do not meet the criteria of unlikely to return to work in a previous industry or occupation.

2. **General Announcement of Plant Closing**: is defined as a communication by an employer stating intent to close a business within 180 days.
3. **Unemployed as result of economic conditions in the community in which an individual resides or because of natural disasters as part of Self-employment category**:
- a. Unemployed as a result of general economic conditions or natural disaster:
Business lost due to one of the following reasons:
 - The closure or substantial lay-off of a primary supplier or customer affecting the self-employed applicant's products or services;
 - Less demand for the occupation or product within the community;
 - A decline in profits significant enough to lead to closure, documented by most recent tax return or other company documents showing negative gains/losses statement; or
 - Natural disaster, as defined by State or Federal declaration.
 - b. Unemployed as a result of Natural disaster: Events that may include a tornado, storm, flood, high water, wind-driven water, earthquake, volcanic eruption,

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landslide, mud-slide, snowstorm, ice storm, drought, fire, explosion, or other catastrophe.

Procedures for Documentation:

Career advisors will complete ADWS WIOA Title I-B Form 2.4 (Dislocated Worker Eligibility Documentation) The career advisor may use their discretion when using the "Other" criteria.

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12-12-19
Date

Approved on: 12-12-19

WDB is an equal opportunity employer and provider of employment and training services. Auxiliary aids and services are available upon request to persons of disability.