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ISSUANCE NUMBER PY 19-10

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FROM: Charisse Childers, Ph.D., Director

TO: Local WIOA Workforce Development Area Administrators/Service Providers

SUBJECT: ADWS Policy No. WIOA I-B – 2.4, Change 1 (Eligibility for Dislocated Worker Program)

1. Purpose: To modify ADWS Policy No. WIOA I-B – 2.4 (Eligibility for Dislocated Worker Program)
2. Background:
Category B, Requirement 1 of “Categories of Eligibility” is unclear: “Has been terminated or laid off or has received a notice of termination or layoff from employment as a result of any permanent closure or any substantial layoff at a plant, facility, or enterprise.”
3. Policy:
The following paragraph is added to the end of section “Category B” of the policy:
In addition to the definition of “substantial layoff”, Arkansas state policy clarifies that being laid off as a result of any substantial layoff must meet one of the following conditions:
 1. Has been laid off permanently
 2. Has been laid off indefinitely (no end date)
 3. Has been laid off with a call-back date no less than 30 days after the lay-off date.
4. Additional Information:
 - All policies and requirements regarding provision of particular services in ADWS Policy No. WIOA I-B – 3.1 (Services for Adults and Dislocated Workers) must be followed.
 - Although upskill/backfill strategies are normally used with layoff aversion for incumbent workers [TEGL 19-16], it is Arkansas state policy that upskilling may be used with dislocated workers declared eligible under Category B with the documented intent of the employer to rehire the worker and to give a pay increase to the worker after the training is completed. A letter of intent to rehire, including the required training and the increased pay, must be obtained from the employer before the training is arranged.
5. Action Required: Please provide this information to all appropriate staff.
6. Inquiries: Email WIOATA@arkansas.gov
7. Expiration: Ongoing