

**VETERANS' PROGRAM LETTER NO. 05-24**

TO: ALL JOBS FOR VETERANS STATE GRANT RECIPIENTS
ALL VETERANS' EMPLOYMENT AND TRAINING SERVICE STAFF
ALL REGIONAL ADMINISTRATORS, EMPLOYMENT AND TRAINING
ADMINISTRATION (INFORMATION)

FROM: JAMES D. RODRIGUEZ, MA JAMES RODRIGUEZ
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SUBJECT: Jobs for Veterans State Grants Staff Roles and Responsibilities and Coordination
with Workforce Innovation and Opportunity Act Services to Veterans

I. Purpose

This Veterans' Program Letter (VPL) identifies and consolidates the roles, responsibilities, and duties that the Jobs for Veterans State Grant (JVSG) staff are expected to perform and discusses the relationship between JVSG and other programs within the workforce development system. It emphasizes statutory duties and describes staffing flexibilities available to states to meet their JVSG responsibilities while maximizing the integration of services and collaboration of partners in the American Job Centers (AJCs).

II. References

- A. [10 United States Code \(U.S.C.\) § 1144](#), Employment assistance, job training assistance, and other transitional services: Department of Labor
- B. [38 U.S.C.](#), Chapters [41](#) and [42](#) and section [101](#)
- C. [20 Code of Federal Regulations \(C.F.R.\) Part 1001](#), Services for Veterans
- D. [20 C.F.R. Part 1010](#), Application of Priority of Service for Covered Persons
- E. Workforce Innovation and Opportunity Act (WIOA) ([Pub. L. 113-128](#)) (July 22, 2014)
- F. Wagner-Peyser Act (Pub. L. 73-30) (June 6, 1933), [as amended](#)
- G. Workforce Innovation and Opportunity Act; Final Rule (WIOA DOL Final Rule) published at [81 FR 56072](#) (Aug. 19, 2016)

- H. [WIOA and Wagner-Peyser Act Regulations at 20 C.F.R. Parts 651, 652, 680, and 682](#)
- I. [Veterans' Program Letter \(VPL\) 03-22](#), Jobs for Veterans State Grant Recurring Reports and Forms and attachments, dated September 13, 2022
- J. [VPL 01-22](#), Jobs for Veterans State Grant State Plan Submission and Modification and attachments, dated February 1, 2022
- K. [VPL 02-21](#), Jobs for Veterans State Grants Triennial Audit Program, Fiscal Years 2022–2024, dated September 15, 2021
- L. [VPL 01-20](#), Consolidated Disabled Veterans' Outreach Program (DVOP) Specialists and Local Veterans' Employment Representative (LVER) Staff Positions, dated January 16, 2020
- M. [VPL 02-19](#), HIRE Vets Medallion Program, dated January 23, 2019
- N. [VPL 03-16](#), Enrollment of Homeless Veterans Program Participants into a Workforce Innovation and Opportunity Act (WIOA) Workforce Program at an American Job Center (AJC), dated July 15, 2016
- O. [VPL 07-09](#), Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor, dated November 10, 2009
- P. [TEGL 10-23](#) Reducing Administrative Barriers to Improve Customer Experience in Grant Programs Administered by the Employment and Training Administration, dated February 1, 2024
- Q. [TEGL 23-19, Change 1](#), Guidance for Validating Required Performance Data Submitted by Grant Recipients of U.S. Department of Labor (DOL) Workforce Programs, dated October 25, 2022; and [Change 2](#), dated May 12, 2023
- R. [TEGL 19-16](#), Guidance on Services provided through the Adult and Dislocated Worker programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules, dated March 1, 2017
- S. [TEGL 10-16, Change 2](#), Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Core Programs, Attachment 7, dated September 15, 2022
- T. [TEGL 10-09](#), Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL), dated November 10, 2009
- U. [Training and Employment Notice 15-10](#), Protocol for Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs

Funded in whole or in part by the U.S. Department of Labor (DOL), dated November 10, 2010

V. [Special Grant Provisions for Jobs for Veterans State Grants](#)

III. Rescissions

- A. [VPL 03-19](#), Designation of Additional Populations Eligible for Services from Disabled Veterans' Outreach Program Specialists, dated February 7, 2019
- B. [VPL 07-14](#), American Job Center (AJC) Participation in Capstone Activities and Other Outreach to Transitioning Service Members, dated September 26, 2014
- C. [VPL 03-14](#) and [Changes 1](#) and [2](#), Jobs for Veterans State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, dated April 10, 2014, February 11, 2015, and October 14, 2015, respectively
- D. [VPL 07-10](#), Refocused Roles and Responsibilities of Jobs for Veterans State Grant Funded Staff, dated June 30, 2010

IV. Background

The Department of Labor (DOL) is committed to serving transitioning service members, veterans, and their families by providing resources to assist and prepare them to obtain meaningful careers and to maximize their employment opportunities. DOL's commitment is an important part of fulfilling our national obligation to the individuals who have served our country.

[Veterans](#) and other [covered persons](#) receive priority of service for all employment and training programs funded in whole or in part by DOL in accordance with 38 U.S.C. § 4215, 20 C.F.R. Part 1010, and 20 C.F.R. § 680.650. Many of these programs are operated by the nearly 2,300 AJCs that support the nation's workforce system. Grants administered by DOL serve eligible participants through numerous programs, such as Workforce Innovation and Opportunity Act (WIOA) title I programs, the Wagner-Peyser Act Employment Service (ES) (WIOA title III), the JVSG program, and the DOL Transition Assistance Program under 10 U.S.C. § 1144. The Employment and Training Administration (ETA) and Veterans' Employment and Training Service (VETS) provide priority of service implementation policy guidance in TEGL 10-09 and VPL 07-09. This guidance does not affect the priority of service requirements.

The JVSG program provides formula grants to states and certain territories, enabling them to hire dedicated staff to provide individualized career and training-related services to [eligible veterans](#) and [eligible persons](#) with employment barriers and to assist employers in fulfilling their workforce needs with job-seeking [veterans](#).

JVSG is a required partner program under WIOA section 121(b)(1), and JVSG services are accessible through every comprehensive AJC. As a condition for the receipt of funds,

states must describe how JVSG program services will be delivered as described under Chapter 41 of Title 38 of the U.S. Code. This is accomplished through a four-year JVSG State Plan implemented on a program year (PY) basis. The JVSG State Plan may be included in a Combined WIOA State Plan or submitted as a stand-alone JVSG State Plan per VPL 01-24 and its attachments or the most current guidance on this topic.

ETA and VETS are issuing this VPL and a forthcoming TEGl to clarify JVSG staff's statutory duties to ensure that 1) eligible participants receive the best combination of services; 2) Disabled Veterans' Outreach Program (DVOP) specialists devote more time to provide individualized career services to those most in need as described in this guidance; and 3) Local Veterans' Employment Representatives (LVER) conduct targeted outreach to assist employers in fulfilling their workforce needs with job-seeking [veterans](#). It also addresses the respective roles and responsibilities of JVSG staff and WIOA-funded program staff in continuing to provide quality services to [veterans](#) on a priority basis.

Throughout this guidance, the term "AJC staff" refers to any DOL-funded program staff who work in an AJC other than those funded by JVSG.

V. JVSG Staff

Throughout this guidance, the term "JVSG staff" refers collectively to DVOP specialists, LVERs, and consolidated DVOP/LVER staff.

- A. **JVSG Staff Positions.** JVSG provides funding to states to exclusively serve [eligible veterans](#) (as defined in 38 U.S.C. § 4211(4)) and [eligible persons](#) (as defined in 38 U.S.C. § 4101(5)) as well as to provide outreach to employers.

The JVSG program funds dedicated staff for the following three positions, any of which may be assigned as either full-time or half-time:

1. *DVOP specialists.* DVOP specialists provide individualized career services¹ and facilitate placements to meet the employment needs of [eligible veterans and eligible persons](#). DVOP specialists must prioritize service to special disabled veterans, other disabled veterans, and other categories of [eligible veterans](#) in accordance with priorities determined by the Secretary of Labor

¹ 38 U.S.C. § 4103A(a) states that DVOP specialists provide "intensive services" to [eligible veterans](#). Consistent with 38 U.S.C. § 4101(9) and the enactment of WIOA, the "intensive services" provided by DVOP specialists are those "career services" defined in section 134(c)(2)(A)(xii) (codified at 29 U.S.C. § 3174(c)(2)(A)(xii)) and referred to as "individualized career services" in 20 C.F.R. § 678.430(b). Under 20 C.F.R. § 678.430(b), individualized career services include: comprehensive and specialized assessments of skill levels and service needs; development of an individual employment plan to identify the employment goals, appropriate achievement objectives and appropriate combination of services for the participant to achieve the employment goals; group counseling; individual counseling and career planning; and short-term prevocational services that may include development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training. While DVOP specialists must provide individualized career services through case management as appropriate, they are not prohibited from providing other core and career services found under WIOA Sec. 134(c) for those [veterans](#) to whom the DVOP specialist is providing case management services.

(Secretary). Annual appropriations acts may provide that DVOP specialists may serve certain [additional populations](#). See Section VI for specific guidance pertaining to DVOP specialists.

2. *LVERs*. LVERs' principal duties are to 1) conduct targeted outreach to employers in the area to assist [veterans](#) in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups; and 2) facilitate employment, training, and placement services furnished to [veterans](#) in a state under the applicable state employment service delivery systems. See Section VII for specific guidance pertaining to LVERs.
3. *Consolidated DVOP/LVER staff*. Consolidated JVSG staff positions perform the duties of both a DVOP specialist and a LVER. These consolidated staff are subject to approval by VETS and must be requested in accordance with VPL 01-20 (or the most current guidance on the subject). They may perform DVOP or LVER duties in any combination of their time (see Section V.D. below). They may only perform DVOP specialist and LVER duties as specified in this guidance, and they are subject to all requirements (including National Veterans' Training Institute (NVTI) training) for both positions. Any reference to either DVOP specialist or LVER duties in any statute, regulation, or policy applies equally to these consolidated positions unless otherwise specified or clearly not applicable.

In accordance with 38 U.S.C. § 4103A(d) and 4104(c), JVSG staff are prohibited from performing duties that detract from their ability to meet the employment needs of [eligible veterans](#) and other eligible populations with qualifying employment barriers. AJC staff will continue to provide priority of service to other [veteran](#) populations as described in VPL 07-09 and TEGl 10-09.

States should establish minimum qualifications and position descriptions for JVSG staff to ensure selected applicants are able to carry out the roles and responsibilities as described in statute and this policy.

- B. As required by JVSG program legislation, VETS conducts regular audits to ensure JVSG staff are performing only their statutorily defined roles and responsibilities. See VPL 02-21 or the latest guidance on this subject for a description of the audit program.
- C. **Preference in Hiring JVSG Staff.** JVSG program legislation requires state agencies to follow a specific preference order when filling JVSG staff positions.
 1. *DVOP Specialists*. As required by 38 U.S.C. § 4103A(b), state agencies must make every effort to employ:
 - a. First, qualified disabled veterans, as defined by 38 U.S.C. § 4211(3).
 - b. Second, qualified [veterans](#), as defined by 38 U.S.C. § 101.

2. *LVER and Consolidated DVOP/LVER staff.* As required by 38 U.S.C. § 4104(c), state agencies must make every effort to employ:
 - a. First, qualified service-connected disabled veterans, as defined by 38 U.S.C. § 4211(3).
 - b. Second, qualified [eligible veterans](#), as defined by 38 U.S.C. § 4211(4).
 - c. Third, qualified [eligible persons](#), as defined by 38 U.S.C. § 4101(5).

In accordance with 38 U.S.C. § 4102A(c)(5)(B), states must provide a supporting rationale for each JVSG staff position that is filled by a nonveteran for more than six months. States report this quarterly on the VETS-403 Technical Performance Narrative.

States may not fill JVSG staff positions with contracted personnel.

- D. **Assigning JVSG-Funded Staff.** Pursuant to 38 U.S.C. §§ 4103A and 4104, states shall employ the number of full- and/or part-time JVSG staff that they deem appropriate and efficient to carry out services to [veterans](#). States determine the suitable ratio of DVOP and LVER staff, assign them to geographic areas, and adjust the proportions and assignments as needed in consultation with the state Director for Veterans' Employment and Training (DVET).

States should ensure their staffing plans position DVOP specialists in areas where the need for individualized career services and the concentration of eligible populations are greatest. Similarly, the appropriate number of LVERs should be assigned to provide outreach services based on workforce area needs.

States have the flexibility to increase or decrease JVSG staff positions and locations without prior approval as long as the adjustments do not 1) conflict with the approved four-year JVSG State Plan, or 2) cause budget fluctuations that result in the state exceeding its allowable budget flexibility to shift up to 10 percent of the total grant award amount between cost categories (e.g., salaries and travel) from the approved budget. If a change in JVSG staff positions or locations results in a budget shift exceeding 10 percent of the total grant award amount between cost categories (e.g., salaries and travel), the state must request a budget realignment amendment. The amendment must be approved prior to implementation in accordance with current guidance on this topic.

- E. **Half-Time Staff.** JVSG program legislation allows states to assign part-time staff and establishes that the term "part-time" equals "half-time." VETS uses the term "half-time" throughout this and other guidance.

States must provide a separate desk code or logon identification for half-time JVSG staff from the logon used for their non-JVSG time. This practice helps ensure accurate data are captured and reflected in performance reports.

States shall use the following guidance to make decisions about assigning half-time grant-funded staff:

1. Half-time staff will be assigned at 0.5 full-time equivalents (FTE).
2. Time charge records must reflect that at least 50 percent of the staff's time was spent performing the statutorily defined roles and responsibilities and charged to JVSG.
3. No person will be employed as both a half-time DVOP specialist and a half-time LVER; instead, the state may employ a consolidated DVOP/LVER staff, if approved.

VI. DVOP Specialist Roles and Responsibilities

DVOP specialists are required to:

- Carry out individualized career services and facilitate placements to meet the employment needs of eligible populations.
- According to 38 U.S.C. § 4103A(a), deliver those services to [eligible veterans](#) in the following priority order:
 - **First:** to special disabled veterans;
 - **Second:** to other disabled veterans;
 - **Third:** to other [eligible veterans](#) in accordance with priorities determined by the Secretary.
- Place maximum emphasis on assisting eligible populations who are economically or educationally disadvantaged.

DVOP specialists provide basic and individualized career services (see 20 C.F.R. § 678.430) to eligible participants. These services help participants overcome employment barriers and achieve their employment goals. DVOP specialists can serve participants directly as well as by referring them to appropriate resources. These resources may include other workforce development programs and training opportunities and any other in-person or virtual federal, state, and local programs for which the participant may be eligible.

To ensure effective tracking and accountability, DVOP specialists maintain detailed case files for each participant, documenting provided services and referrals. States refer to their respective systems differently; therefore, this guidance will use the term “management information system” (MIS) when referring to the state’s system that staff use to document services, case notes, referrals, etc. VETS does not require that states use any specific system. Case files are subject to audits by VETS in accordance with VPL 02-21 or the latest guidance.

This policy provides specific guidance on the definitions and requirements listed above to ensure that DVOP specialists can fulfill these responsibilities in providing individualized career services (in person or virtually, when appropriate) through a case management framework (see Section VI.B. below) to categories of veterans and other [additional populations](#) eligible for DVOP specialist services listed in Section VI.A. below. The

eligibility criteria ensure DVOP specialists serve those participants who are most in need of individualized career services and have adequate time to devote services to specialized populations prioritized under 38 U.S.C. § 4103A. DVOP-eligible populations who are not referred to a DVOP specialist must be referred to other workforce programs in accordance with priority of service requirements, as described in VPL 07-09 and TEGL 10-09.

A. **Populations Eligible for DVOP Services.** DVOP specialists must limit their activities to providing services to eligible populations who:

- Are interested in receiving one or more individualized career services, **and**
- Meet at least one of the following two criteria:
 - Are defined as an [eligible veteran](#) or [eligible person](#) and are experiencing at least one of the qualifying employment barriers defined in Section VI.A.1 below; **or**
 - Are members of [additional populations](#) eligible for DVOP specialist services as authorized by the current annual appropriations act, as outlined in Section VI.A.2. below.

1. *Qualifying Employment Barriers.* To receive DVOP services, an [eligible veteran](#) or [eligible person](#) must affirm that they are experiencing at least one of the following employment barriers:

- a. Has a disability, which may include any of the following:
 - i. *Special disabled veteran*, defined in 38 U.S.C. § 4211(1) as a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs for a disability rated at 30 percent or more, or rated at 10 or 20 percent in the case of a veteran who has been determined to have a serious employment handicap; or person who was discharged or released from active duty because of a service-connected disability.
 - ii. *Disabled veteran*, defined in 38 U.S.C. § 4211(3) as a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs²; or a person who was discharged or released from active duty because of a service-connected disability.
 - iii. *Other disability.* [Eligible veterans](#) and [eligible persons](#) who self-identify as having a disability, as defined by the Americans with Disabilities Act, 42 U.S.C. § 12102.

² An individual who attests to having a disability claim pending with the VA should be considered to have an approved claim for the purposes of determining the qualifying employment barrier. A [veteran](#) with a 0 percent rating does not qualify as being “entitled to compensation” within the meaning of the statute.

- b. Is a Vietnam-era veteran, as defined by 38 U.S.C. § 4211(2) as an [eligible veteran](#) any part of whose active military, naval, or air service was during the Vietnam era, as defined by 38 U.S.C. § 101(29).
- c. Is a recently separated veteran, defined in 38 U.S.C. § 4211(6) as a veteran who was discharged or released from active duty within the last three years.
- d. Has been referred for employment services by a representative of the Department of Veterans Affairs.
- e. Is experiencing homelessness, as defined in Sections 103(a) and (b) of the McKinney Vento Homeless Assistance Act (42 U.S.C. § 11302(a) and (b)).
- f. Is justice-involved, as defined in WIOA Section 3(38), 29 U.S.C. § 3102(38) (definition of “offender”).
- g. Is between the ages of 18–24 years of age at the time of enrollment.
- h. Is educationally disadvantaged, meaning that the individual lacks a high school diploma or equivalent certificate.
- i. Is economically disadvantaged, which means any of the following:
 - i. Meets the definition of a low-income individual in WIOA Section 3(36), 29 U.S.C. § 3102(36).
 - ii. Unemployed.
 - iii. Heads of single-parent households containing at least one dependent child.

Note: An [eligible person](#) must personally meet eligibility criteria. In other words, they must both: a) meet the definition found in 38 U.S.C. § 4101(5), and b) be experiencing at least one of the criteria listed above (e.g., homeless, justice-involved, etc.). An [eligible person](#) who is not a [veteran](#) may not claim eligibility for DVOP services based on their spouse’s status as, for example, a Vietnam-era veteran.

2. [Additional Populations](#). Annual appropriations acts may authorize JVSG staff to serve certain non-veteran populations. Continued service to these individuals is contingent upon future appropriations act authorization. States are responsible for consulting with the DVET and reviewing the appropriations act each year to ensure DVOP specialists are serving only eligible populations. At the time of publication of this VPL, Congress has authorized DVOP specialists to serve, and LVERs to work with employers on behalf of, the following [additional populations](#):

- a. Transitioning Service Members (TSM) who, at the time of enrollment have participated in any part of the Transition Assistance Program, including self-paced online modules and Individualized Initial Counseling.

- b. [Wounded, ill, or injured](#) members of the Armed Forces who are receiving treatment in military treatment facilities or [warrior transition units](#).
 - c. Spouses or other [family caregivers](#) of those [wounded, ill, or injured](#) service members described in subparagraph b.
3. *Participant Eligibility and Privacy*. States must accept an individual's verbal, written, or electronic confirmation of their eligibility status and experiences as sufficient evidence for referral to DVOP services.

States must protect participants' privacy to the greatest extent possible. When requesting information about a participant's disability or employment barriers, states must:

- a. Clearly state that the information is solely for determining eligibility and service prioritization.
- b. Emphasize that participation is voluntary.
- c. Guarantee confidentiality of all shared information.
- d. Affirm that refusing to provide information will not result in negative consequences.
- e. Assure that information will be used only in compliance with legal guidelines.

B. DVOP Specialist Case Management/Individualized Career Services.

38 U.S.C. § 4103A emphasizes that DVOP specialists provide individualized career services to eligible populations. Therefore, VETS expects that at least 90 percent of participants served by a DVOP specialist will receive those services. VETS also expects DVOP specialists to use a case management approach to ensure they are delivering appropriate services designed to assist participants in overcoming barriers and gaining employment. See the most current roles and responsibilities audit guidance for more detail on VETS' expectations for services and case file maintenance.

Case management is a customer-centered approach to the delivery of individualized career services and is designed to prepare and coordinate comprehensive employment plans for participants, identify and assure access to the necessary training and supportive services, and provide support during program participation and after job placement. Case management includes all of the following elements:

- 1. *Comprehensive assessment*. This is an in-depth evaluation that documents the individual's employment barriers and pertinent history, such as education, skills, and job history.
- 2. *Employment plan*. This may also be known as an Individual Employment Plan, plan of action, Individual Development Plan, etc. The participant and DVOP specialist jointly develop the employment plan. It captures the

individual's career goals, steps needed to achieve the goals, and actions taken by both the individual and the DVOP specialist. The employment plan must address all barriers identified in the comprehensive assessment (e.g., lack of transportation), not just the barriers that made the participant eligible for DVOP services.

3. *Consistent contact.* DVOP specialists must maintain regular, consistent contact with the participant, including meetings and updates, both pre- and post-employment. Contact with a participant should be meaningful to continually assist the participant in overcoming employment barriers to find and maintain employment. Consistent contact is based on the participant's individual needs and situation, as per the written plan and case notes. This also includes any documented attempts at contact, but it does not include mass or group communications such as an email newsletter.

As part of case management, DVOP specialists are required to facilitate employment. DVOP specialists may contact an employer on behalf of a specific [veteran](#) to facilitate employment, in coordination with the LVER and business service teams to avoid duplicative contacts to employers. DVOP specialists must not contact employers to advocate for the hiring of [veterans](#) in general or advocate on behalf of other populations, as this is an LVER or Business Services Teams (BST) duty.

- C. **Performance Outcomes.** In accordance with VPL 01-24 Attachment 4, or the most current guidance on this topic, states establish performance goals for outcomes for participants who have been served by DVOP specialists within their four-year JVSG State Plans. The high-quality individualized career services that DVOP specialists provide to participants through a case management approach should directly impact these outcomes. The three primary performance indicators are:

1. *Employment Rate – 2nd Quarter After Exit.* The percentage of participants who are in unsubsidized employment during the second quarter after exit from the program.
2. *Employment Rate – 4th Quarter After Exit.* The percentage of participants who are in unsubsidized employment during the fourth quarter after exit from the program.
3. *Median Earnings – 2nd Quarter After Exit.* The median earnings of participants who are in unsubsidized employment during the second quarter after exit from the program.

- D. **Managing the DVOP Specialist Caseload.** VETS does not set caseload goals or limits for DVOP specialists. Instead, states are responsible for regularly monitoring caseloads to ensure each assigned DVOP specialist is allowed sufficient time to:

- Deliver high-quality individualized career services through a case management approach;
- Maintain comprehensive, well-documented case management files; and
- Accept new participants who are prioritized based on the order described in 38 U.S.C. § 4103A(a): first, special disabled veterans (see 38 U.S.C. § 4211(1)); then, other disabled veterans (see 38 U.S.C. § 4211(3)); and, lastly, other [eligible veterans](#) and [eligible persons](#) in accordance with priorities determined by the Secretary.

E. **Outreach and Networking with Local Service Providers.** DVOP specialists should engage with service providers in their local community to:

- Maximize the number of participants that the service providers refer to the state’s workforce delivery system who are both eligible for and could benefit from DVOP specialist services.
- Enhance outcomes for participants that the DVOP specialists refer to other providers.
- Strengthen community awareness of the array of services available through the workforce development system.

When a DVOP specialist attends events or is assigned to a location outside of an AJC, they are sometimes introduced to potential participants who have not yet been screened for eligibility or entered into the state’s management information system (MIS). The DVOP specialist must not serve any individual who has not first registered in the state MIS and been determined eligible. In these cases, the DVOP specialist should provide good customer service by informing the individual about workforce delivery system services and encouraging them to visit the AJC in person, via telephone, or online to register and determine eligibility.

It is the state’s responsibility to ensure appropriately targeted and effective networking efforts, bearing in mind that a DVOP’s statutory purpose is to “carry out intensive services and facilitate placements” to [eligible veterans](#).

VII. LVER and Employer Outreach/Facilitation

As per 38 U.S.C. § 4104(b), LVERs conduct outreach to the employer community and facilitate employment, training, and placement services under the state’s employment service delivery system. States must assign LVERs duties that inform employers, employer associations, and business groups of the advantages of hiring veterans. States must also integrate LVERs into their employment service delivery systems (see 38 U.S.C. § 4102A(c)(2)(A)(i)(II)). When employer outreach is primarily accomplished by business services teams or similar entities, states satisfy the LVER integration requirement by including LVERs as active members of these teams.

LVERs should advocate for all [veterans](#) and the [additional populations](#) described in Section VI.A.2. of this VPL with business, industry, and other community-based organizations by participating in appropriate activities. These activities include, but are not limited to:

- Planning, conducting, and participating in job and career fairs;
- Conducting employer outreach, including facility tours or interviews with current employees to familiarize themselves with job responsibilities or qualifications;
- Assisting with job development for [veterans](#), [eligible persons](#), and other DVOP-eligible populations enrolled in workforce development programs;
- Facilitating job search workshops/groups, on behalf of/in conjunction with employers, provided that DVOP and/or other AJC staff are available to deliver any needed direct services;
- Working with established unions, apprenticeship programs, and businesses or business organizations to promote and secure employment and training for [veterans](#);
- Informing federal contractors of the process to recruit qualified [veterans](#);
- Promoting credentialing and licensing opportunities for [veterans](#);
- Coordinating and participating with other business outreach efforts, including the efforts of WIOA business service representatives;
- Educating and training AJC staff to ensure easier access to the appropriate employment and training services for job-seeking [veterans](#);
- Conducting community outreach and presentations on behalf of employers seeking to hire [veterans](#);
- Promoting initiatives and programs such as the [DoD SkillBridge program](#); and
- Promoting the [HIRE Vets Medallion Program](#) and assisting local area employers in applying for the award when appropriate (see VPL 02-19 and TEGl 9-18, or most current guidance on the subject).

In addition to their work with employers, LVERs play an important role in developing the veteran service delivery strategies in the state workforce system, educating all AJC staff with current veterans' employment initiatives and programs, and providing regular updates on veteran services and programs.

LVER responsibilities also include coordinating with DVOP specialists and other staff who are serving DVOP-eligible customers to provide job opportunities to those individuals. LVERs may speak with the customers to better understand and meet their employment needs. Once the customer is ready for employment, their case manager should work with the LVER to help place the [veteran](#) into employment. This should not be a "hand-off" to the LVER, because additional services may be required, and LVERs (except for consolidated DVOP/LVER staff) may not provide direct services to participants.

In the course of their work, LVERs can leverage VETS' [Regional Veterans' Employment Coordinators](#) (RVEC), who engage with local, regional, and national employers and connect them with federal, state, and local resources to facilitate veterans' employment. RVECs also develop and leverage partnerships with government, non-government, and industry stakeholders in the veteran employment space to include training providers and industry associations.

VIII. JVSG Staff Roles in the Transition Assistance Program and Department of Labor Employment Workshop

The Transition Assistance Program (TAP), authorized under 10 U.S.C. Chapter 58, is a cooperative interagency effort among the Departments of Labor, Defense, Education, Homeland Security, and Veterans Affairs, the Small Business Administration, and the Office of Personnel Management. In this program, VETS offers workshops to transitioning service members under 10 U.S.C. § 1144, including the Department of Labor Employment Workshop (DOLEW), a two-day employment-focused workshop on best practices in career employment, including in-depth training to build an effective resume, network, search for employment, learn interview skills, and identify negotiation know-how.

The VOW to Hire Heroes Act of 2011 ([Public Law 112-56](#)) introduced sweeping changes regarding TAP and included a requirement that contracted staff deliver the entirety of VETS' DOLEW curriculum, information, and services. JVSG staff have no role in delivering TAP or DOLEW, but the curriculum encourages TAP participants to visit their local AJC for employment services.

JVSG staff assigned near TAP sites should engage in appropriate related activities. For example, DVOP specialists should establish and maintain relationships with TAP site staff to increase awareness of the workforce development system and services available to TSMs. They may also set up a table during lunch time to conduct outreach activities.

LVERs should establish and leverage relationships with employers, especially those closely connected with military installations, to introduce them to the [DoD SkillBridge](#) program. There are several tools available on the [SkillBridge Industry Partners page](#) for industry partners, including a program overview and Get Started tool kit. This also presents an opportunity to discuss training programs such as on-the-job training and apprenticeship. LVER staff may also help organize job fairs that are often held in conjunction with TAP.

IX. AJC Staff Roles in JVSG

Since JVSG is a required partner program under WIOA, AJC staff play an important role in the JVSG program. This guidance uses the term "AJC staff" to describe any wholly or partly DOL-funded program staff who work in an AJC, other than those funded by JVSG.

AJC intake staff determine the service needs of incoming customers and screen them for eligibility and referral to appropriate program staff for services. This section describes AJC staff responsibilities with respect to JVSG.

- A. **AJC Staff Services to Veterans.** AJC intake staff must refer [veterans](#) and [covered persons](#) who are not eligible for, or who do not want or need, DVOP specialist services to other workforce programs, as appropriate. ETA and VETS will continue to collaborate with states to ensure that these individuals receive seamless and optimal priority of service, and we encourage a similar collaboration among state grantees and local areas.
- B. **Screening and Referring Customers.** Appropriate initial screening can enhance customers' experience by ensuring they are initially referred to the program(s) best positioned to meet their needs. In carrying out states' JVSG programs, this screening also helps ensure that DVOP specialists deliver individualized career services to eligible customers as required by statute. Where a DVOP specialist is available to accept a new customer, each incoming customer must be screened and referred in accordance with this section.
1. *Identify Customer's Interests and Needs.* Not all customers who are eligible for DVOP services are interested in receiving them. Prior to referring a customer to a DVOP specialist, intake staff must affirm the customer's interest in receiving one or more individualized career services. This may be done, for example, by showing a list of available DVOP-provided individualized career services and asking whether they are interested in learning more. A customer who does not need or wish to receive any of these services must not be referred to a DVOP specialist at that time.
 2. *Ascertain Customer's Eligibility.* AJC staff must determine whether a customer meets the eligibility criteria described in Section VI.A before referral to a DVOP specialist.
 3. *When a DVOP Specialist is Unavailable.* If a DVOP specialist is not immediately available to accept a new participant, the AJC staff should provide appropriate services and referrals to meet the needs of the individual and to satisfy priority of service requirements, as described in VPL 07-09 and TEGL 10-09. AJC staff should inform the customer of the opportunity to make an appointment to see the DVOP specialist and/or be seen by other staff. The eligible customer may choose to make an appointment with the DVOP specialist at any point thereafter, even if they are participating in other workforce development program services.

A DVOP specialist who 1) has a full caseload (as determined by the state); 2) is not present (physically or virtually); or 3) is in a meeting at the moment when a customer would otherwise be referred is considered "unavailable" for the purposes of this subsection.
 4. *Department of Veterans Affairs' Veteran Readiness and Employment (VR&E) Program.³ Participants.* Because not all VR&E participants are

³ VR&E participant eligibility uses the definition of "[veteran](#)" found at 38 U.S.C. § 101(2), which does not have a minimum service requirement. Therefore, some VR&E participants do not meet the definition of an [eligible veteran](#).

eligible for DVOP services, there is no exception to the screening requirement for VR&E participants. They must be screened for eligibility based on the criteria described in Section VI prior to being referred for DVOP services.

5. *Documentation.* VETS does not require documentation of the participant's eligibility at any point. States must follow ETA's guidance regarding documentation, including:
 - [TEGL 23-19 Change 1](#) for data validation requirements;
 - [TEGL 23-19 Change 2 Attachment 1](#) for program-specific instructions and [Attachment 2](#) for source documentation and self-attestation guidance; and
 - [TEGL 10-23](#) for guidance on balancing the need for documentation with optimizing customers' experience as they navigate the workforce development system.
6. *Eligibility Screening and Referral through State Management Information Systems.* Although this section speaks to the AJC intake staff duties, states may use an online system to screen customers for eligibility for DVOP services and to refer those who are eligible to an available DVOP specialist, subject to the following provisions:
 - a. Eligibility screening must include ascertaining the customer's interest in receiving individualized career services, as well as the eligibility criteria listed in section VI.
 - b. States must apply a process to ensure that DVOP specialists do not receive more participant referrals than they have the capacity to serve. This process may be automated based on the DVOP specialist's current caseload, and/or it may include a manual override or intervention function to divert excess referrals to other AJC staff.

- C. **Coordination with the Homeless Veterans' Reintegration Program (HVRP).** VETS also administers HVRP, which is an employment-focused competitive grant program. HVRP funds are awarded to organizations to assist [veterans](#) experiencing homelessness in overcoming employment barriers and finding meaningful employment. VETS encourages HVRP grant recipients to refer participants to the local AJC to take advantage of its full array of employment and supportive services. Not all HVRP participants may be eligible for services from a DVOP specialist due to the different definition of [veteran](#) used across the programs. Each customer must be screened for eligibility prior to referral to a DVOP specialist.

AJC staff and DVOP specialists are encouraged to refer other [veteran](#) participants who may be experiencing, or are at risk of, homelessness to local HVRP grant

recipients as well, where available. HVRP grantees can be found by using the [Find a Grantee search tool](#).

D. JVSG Staff Integration in the AJC. JVSG program legislation requires that JVSG staff be integrated in states' workforce delivery systems, and WIOA includes JVSG as a required partner program. DOL champions cross-program collaboration and integration as a best practice that leads to the most effective and efficient service delivery to both jobseekers and employers.

1. *Integration Promising Practices.* States should develop or update as needed policies and practices such as:

- Supporting DVOP participants through case conferencing, also known as integrated case management. In this customer-centered approach, cross-program staff meet regularly to discuss each participant's unique skills, goals, and needs, collaborating to identify appropriate training, service, and employment opportunities.
- Routinely including LVERs in business service team meetings. LVERs bring a veteran-focused approach to employer engagement, and collaboration with the business service representatives empowers them to become force multipliers in this space.
- Requesting periodic updates from LVERs on state or local veteran employment opportunities at internal meetings or training events.
- Requesting other program staff present information at training events for JVSG staff. This practice renews and reinforces DVOP specialists' knowledge of workforce development programs that may be available to their participants.
- Establish and maintain a shared local resource directory for all program staff to use and update.
- Recognize and highlight veteran-friendly local employers at job fairs and other community events and leverage those opportunities to introduce employers and program staff.

2. *JVSG Staff Limitations.* JVSG staff must not be placed in a situation where they are at risk of performing duties that fall outside of their roles and responsibilities. The following functions are examples of duties that must not be assigned to, or executed by, JVSG-funded staff:

- Staffing the AJC front desk. JVSG staff must not be assigned at any time to greet incoming customers, conduct intake, or screen for eligibility.
- Providing services prior to eligibility screening. DVOP specialists may not serve individuals who have not been screened for eligibility and entered into the state's MIS.

- Checking in customers at job/resource fairs. However, JVSG staff may attend such events to network with other resource providers (DVOP specialists) and employers (LVERs).
- Determining customer eligibility for other services.
- Administering job preparation workshops if any of the workshop participants are not DVOP-eligible populations.
- Monitoring/controlling foot traffic during AJC events, unless the event is for a DVOP specialist's current participants only.

X. National Veterans' Training Institute

The [National Veterans' Training Institute](#) (NVTI), through a contract administered by VETS, provides mandatory and other professional skills enhancement training to state and local workforce system staff who provide DOL-grant-funded employment services to [veterans](#), including AJC staff and management. The training and travel (for in-person courses) are provided by NVTI at virtually no cost to the state.⁴

- A. **Mandatory training for JVSG staff.** As specified in 38 U.S.C. § 4102A(c)(8), JVSG staff are required to complete specialized training provided by NVTI within 18 months of assignment. VETS urges states to begin scheduling JVSG staff for this training immediately upon assignment to a position and to allow staff to take refresher courses on a regular basis. Training requirements for each position, course offerings, descriptions, and schedules are found on the [NVTI website](#).
- B. **Professional skills enhancement training for other DOL-funded grant program staff.** In addition to the mandatory training, NVTI offers an array of courses on veteran- and grant-related topics. There are in-person, virtual, and on-demand courses in a variety of formats and course lengths ranging from 3.5 days to 5 minutes. All workforce system staff who interact with [veterans](#) can benefit from these courses.

XI. Actions Required

This guidance is effective immediately. States must:

- A. Immediately transmit this policy to appropriate staff, including AJC managers.
- B. Update and implement policies and procedures to align staff and processes with these requirements.

⁴ For DOL-funded grant staff, online and virtual courses are provided by VETS free of charge. For in-person classes, VETS pays for travel, lodging, and meals upon arrival at NVTI. If traveling by air, the state will be responsible for transportation to and from airport, in-transit meals, and associated fees (parking, etc.) as permitted by state travel regulations. If driving, mileage will be reimbursed at the prevailing federal per diem mileage rate, not to exceed the cost of the lowest federal round-trip airfare. Please see [Traveling to NVTI Dallas](#) for full details.

- C. Review current performance management plans and position descriptions for all JVSG staff to ensure that their duties align with those described in this guidance.
- D. Consult with the appropriate DVET or ETA Federal Project Officer if technical assistance is needed.
- E. Use this guidance to describe JVSG staff duties and the populations they will serve in their JVSG State Plans, whether submitted as part of a Combined WIOA State Plan or as a stand-alone JVSG State Plan.

XII. Inquiries

Inquiries may be directed to the appropriate ETA Regional Office or assigned DVET. DVET contact information can be found on the DOL website at [Regional Offices | U.S. Department of Labor \(dol.gov\)](#).

XIII. Expiration Date

This guidance is active until superseded or rescinded. It will be reviewed for relevance on or before September 30, 2027, and every two years thereafter.

XIV. Attachments

Appendix: Defining and Discussing Eligible and Prioritized Populations.

Appendix: Defining and Discussing Eligible and Prioritized Populations

JVSG program and DOL priority of service legislation require services to, on behalf of, and by several different groups of veterans and other individuals. The definitions for each can be a challenge to memorize and navigate, but it is important to be aware of the similarities and differences between the groups and to be able to refer to the correct citation for each of them.

A. Veteran

In DOL legislation, the term “veteran” is defined in 38 U.S.C. § 101(2) as “a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.”

Important things to note about this definition include:

- There are no minimum days of service.
- They can have any character of discharge *except* dishonorable.
- The inclusion of the word “active” in this definition means any of the following, according to 38 U.S.C. § 101(24):
 - active duty;
 - any period of active duty for training during which the individual concerned was disabled or died from a disease or injury incurred or aggravated in line of duty;
 - any period of inactive duty training during which the individual concerned was disabled or died: (i) from an injury incurred or aggravated in line of duty; or (ii) from an acute myocardial infarction, a cardiac arrest, or a cerebrovascular accident occurring during such training.
- Where the term “veteran” is often seen:
 - Included in the “[covered persons](#)” definition for priority of service requirements
 - LVERs work with employers on behalf of veterans
 - Hiring preference for DVOP specialists
 - Certain veterans are eligible for participation in VETS Homeless Veterans Reintegration Programs
 - Department of Veterans Affairs Veteran Readiness & Employment participants

B. Eligible Veteran

According to 38 U.S.C. § 4211(4), an eligible veteran is a person who meets one of the following criteria:

1. Served on active duty for a period of more than 180 days and was discharged with other than a dishonorable discharge; or
2. Was discharged or released from active duty because of a service-connected disability; or
3. Was a member of a reserve component under an order to active duty—pursuant to 10 U.S.C. §§ 12301(a), (d), or (g); 12302; or 12304—who served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge; or
4. Was discharged or released from active duty by reason of a sole survivorship discharge.

Here are a few important notes about eligible veterans:

- In order to meet the definition of an eligible veteran, the individual only needs to have met one of the four criteria listed above.
- The “eligible veteran” definition is more stringent than the “veteran” criteria. All eligible veterans are veterans, but not all veterans are eligible veterans.
- The 180 days must be consecutive.
- The 180-day requirement does not apply to individuals who served on active duty during a period of war (or a period for which a campaign badge is authorized) or to [veterans](#) who separated due to their service-connected disability or sole survivorship.
- As with [veterans under 38 U.S.C. § 101\(2\)](#), the person may have any character of discharge except dishonorable. However, an eligible veteran with more than one period of service may have different characters of discharge. In JVSG, one other-than-dishonorable discharge qualifies the person as an eligible veteran, even if their most recent discharge was dishonorable, as long as they meet at least one of the eligible veteran criteria listed above.
- An individual who is appealing their dishonorable discharge must be successful in the appeal before they meet the definition of an eligible veteran.
- These are the specific uses for the term “eligible veteran” as defined in JVSG:
 - DVOP specialists may serve eligible veterans who are experiencing at least one qualifying employment barrier. Special disabled and other disabled veterans must also meet the criteria of an eligible veteran to receive DVOP services (see Section VI.A.1).

- This group is included in the hiring preference for LVERs.

C. Eligible Person

According to 38 U.S.C. § 4101(5), an “eligible person” is:

1. The spouse of any person who died of a service-connected disability;
2. The spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this chapter, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than ninety days:
 - a. missing in action,
 - b. captured in line of duty by a hostile force, or
 - c. forcibly detained or interned in line of duty by a foreign government or power, or
3. The spouse of any person who has a total disability permanent in nature resulting from a service-connected disability, or the spouse of a [veteran](#) who died while a disability so evaluated was in existence.

Important notes about this group include:

- The term “eligible person” is not the same as the term “military spouse,” nor would it be accurate to use the phrase “eligible spouse” here because that term is used for priority of service.
- A widow or widower who is eligible for one of the reasons described above remains eligible even if they later remarry.
- The uses of the term “eligible person” mirror those of [eligible veterans](#):
 - DVOP specialists may serve eligible persons who are experiencing at least one qualifying employment barrier defined in policy.
 - This group is included in the hiring preference for LVERs.

D. Additional Populations

Each year’s funding bill, the annual appropriations act for DOL, authorizes DVOP specialists to serve—and LVERs to work with employers on behalf of—the following additional populations:

1. Transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services.
2. Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units.
3. Spouses or other family caregivers of such wounded, ill, or injured members.

Notes for these additional populations are as follows:

- 38 U.S.C. § 4101(9) established that “intensive services” means “individualized career services.”
- Transitioning service members, like all other participants, may self-identify as to their need for individualized career services.
- There is no requirement that the TSM has completed any segment of the Transition Assistance Program (TAP), nor is there a specific segment of TAP in which the TSM must have participated. This means that the TSM need only have participated in any part of TAP, such as the self-paced online module or Individualized Initial Counseling.
- In accordance with [38 U.S.C. § 1720G](#)(d) and in the context used here, the term “family caregiver” specifically refers to an individual who provides personal care services to a service member who is wounded, ill, or injured and receiving treatment in a military treatment facility or warrior transition unit. This individual must also be someone who:
 - (A) is a member of the family of the service member, including:
 - (i) a parent;
 - (ii) a spouse;
 - (iii) a child;
 - (iv) a step-family member; and
 - (v) an extended family member; or
 - (B) lives with, but is not a member of, the family of the service member.
- “Wounded” is defined as a service member or [veteran](#) who has incurred an injury as a result of an attack or other use of force against the U.S., U.S. forces, or other designated persons or property. “Ill or injured” is defined as an injury or illness incurred by the member in the line of duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating.
- Warrior transition units and military treatment facilities are also called Soldier Recovery Units, military hospitals, and military clinics. These facilities can be found by zip code on the [Tricare website](#). Note: Members of the Armed Forces who are wounded, ill, or injured receiving treatment at any of the locations (including certain medical facilities of the VA) listed at the link provided above are included as part of this eligibility criterion.
- None of the individuals described here as “additional populations” are [veterans](#). Once the service member separates from the military, they become a veteran and must be screened for eligibility as an [eligible veteran](#) with a qualifying employment barrier. Likewise, the spouse or other family caregiver of the member must be screened for eligibility as an [eligible person](#) after the member’s separation.

- These additional populations do not need to be experiencing an additional employment barrier to benefit from the JVSG program by receiving services from a DVOP specialist or for a LVER to work with employers on their behalf.

E. Covered Person

The final group of individuals who have special eligibility status in DOL are covered persons. According to 38 U.S.C. § 4215, the term “covered person” means any of the following:

1. A [veteran](#).
2. The spouse of any of the following individuals:
 - a. Any [veteran](#) who died of a service-connected disability.
 - b. Any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than 90 days: (I) missing in action, (II) captured in line of duty by a hostile force, or (III) forcibly detained or interned in line of duty by a foreign government or power.
 - c. Any [veteran](#) who has a total disability resulting from a service-connected disability.
 - d. Any [veteran](#) who died while a disability so evaluated was in existence.

Applicable notes to covered persons are as follows:

- The part of the definition that applies to a spouse above is almost identical to the definition of an [eligible person](#) from 38 U.S.C. § 4101(5).
- Covered persons are entitled to priority of service under any DOL-funded job training program, as long as they meet the program’s other eligibility requirements.
- Priority of service is not generally applied in JVSG, because:
 - DVOP specialists almost exclusively serve covered persons, and
 - LVERs do not provide direct services to customers.