

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Veterans
	CORRESPONDENCE SYMBOL OWI-DASG
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ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 03-24

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
AMERICAN JOB CENTERS

FROM: JOSÉ JAVIER RODRÍGUEZ 
Assistant Secretary

SUBJECT: Jobs for Veterans’ State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans

1. **Purpose.** This Training and Employment Guidance Letter (TEGL) transmits Veterans Program Letter (VPL) 05-24, *Jobs for Veterans State Grants Staff Roles and Responsibilities, and Coordination with Workforce Innovation and Opportunity Act Services to Veterans*, jointly developed by the Employment and Training Administration (ETA) and Veterans’ Employment and Training Service (VETS). VPL 05-24 clarifies JVSG statutory duties, roles, and responsibilities such staff are expected to perform and discusses relationship between JVSG and other programs within the workforce system. Additionally, the guidance is designed to update state workforce professionals about AJC staff roles with JVSG. 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 AJCs.

2. **Action Requested.** The following actions are requested:
- Read this guidance and VPL 05-24.
 - Update policies and standard operating procedures to align AJC staff and processes with the requirements outlined in this guidance and VPL 05-24.
 - Consult with the appropriate Department of Labor (DOL) regional office if technical assistance is needed.

3. **Summary and Background.**

- a. Summary – This TEGL shares VPL 05-24, developed by VETS in consultation with ETA, that outlines the roles, responsibilities, and duties of JVSG staff, emphasizing

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statutory duties and staffing flexibilities to maximize integration of services and collaboration within the workforce development system and AJCs.

- b. Background – The Department 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. Part 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) and WIOA title III, the JVSG program, and the DOL Employment Workshop (DOLEW) portion of the Transition Assistance Program under 10 U.S.C. § 1144. The ETA and VETS provide priority of service implementation policy guidance in [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)*, and [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*. 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.

The VPL clarifies 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 under 38 U.S.C. § 4103A; and 3) Local Veterans’ Employment Representatives (LVER) conduct targeted outreach to assist employers in fulfilling their workforce needs with job-seeking veterans.

The VPL 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. VETS and ETA jointly developed Section IX of VPL 05-24, AJC Staff Roles in JVSG. This TEGL highlights that section for ETA grantees and incorporates VPL 05-24 for grantee knowledge and awareness of the requirements applicable to JVSG and DVOP and LVER staff. 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.

4. **AJC Staff Roles in JVSG.** This section highlights the areas of the VPL critical to coordination with AJC staff and JVSG staff. Since JVSG is a required partner program under WIOA, AJC staff play an important role in the JVSG program.

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.
 - i. *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.
 - ii. *Ascertain Customer's Eligibility.* AJC staff must determine whether a customer meets the eligibility criteria described in Section VI.A of VPL 05-24 before referral to a DVOP specialist.
 - iii. *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.

- iv. *Department of Veterans Affairs’ Veteran Readiness and Employment (VR&E) Program¹ Participants.* Because not all VR&E participants are 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 of VPL 05-24 prior to being referred for DVOP services.
 - v. *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.
 - vi. *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:
 - Eligibility screening must include ascertaining the customer’s interest in receiving individualized career services, as well as the eligibility criteria listed in Section VI of VPL 05-24.
 - 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

¹ 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.

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.

Integration Promising Practices. States should develop or update 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.
- e. **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), DVOPs 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.

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. of VPL 05-24) to categories of veterans and other additional populations eligible for DVOP specialist services listed in Section VI.A of VPL 05-24. 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.

- f. **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 of VPL 05-24; **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. of VPL 05-24.

i. *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:

- Has a disability, which may include any of the following:

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.

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.

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.

- 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).
- 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.
- Has been referred for employment services by a representative of the Department of Veterans Affairs.
- 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)).
- Is justice-involved, as defined in WIOA Section 3(38), 29 U.S.C. § 3102(38) (definition of “offender”).
- Is between the ages of 18–24 years of age at the time of enrollment.
- Is educationally disadvantaged, meaning that the individual lacks a high school diploma or equivalent certificate.

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.

- Is economically disadvantaged, which means any of the following:
Meets the definition of a low-income individual in WIOA Section 3(36), 29 U.S.C. § 3102(36).

Unemployed.

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.

- ii. *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:

- 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.
- Wounded, ill, or injured members of the Armed Forces who are receiving treatment in military treatment facilities or warrior transition units.
- Spouses or other family_caregivers of those wounded, ill, or injured service members described in Section XI.A.2(b) of VPL 05-24.

- iii. *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:

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

- g. **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:

- i. *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.
- ii. *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.
- iii. *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 duty.

iv. *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 management information system (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.

5. Inquiries. Please direct inquiries to the appropriate Regional Office.

6. References.

- A. [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
- B. [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

7. Attachment(s). Attachment I: VPL 05-24

Attachment I

[VPL 05-24 JVSG Staff Roles and Responsibilities and WIOA Services to Veterans \(dol.gov\)](#)