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History of the Jobs for Veterans State Grant

The Servicemen's Readjustment Act, commonly known as the G.I. Bill of Rights, was passed in 1944 to assist veterans reintegrating into the civilian workforce. It reestablished the Veterans' Employment Service and provided for the appointment of Local Veterans' Employment Representatives (LVER staff). The 92nd Congress passed the Vietnam Veterans' Readjustment Assistance Act of 1972 (P.L. 92-540) which extended priority service for employment counseling, job training and placement services to Vietnam era veterans. This landmark legislation also extended veterans' priority to widows and spouses of totally disabled veterans, prisoners of war, and servicemen missing in action and required the Secretary of Labor to implement stringent administrative controls to ensure the delivery of preferential services to veterans.

In 1977, President Carter issued an Executive Order that created the Disabled Veterans' Outreach Program (DVOP) as a pilot under the Comprehensive Employment and Training Act (CETA). Staffed in Job Service offices, DVOP specialists conduct outreach in their communities to identify and encourage veterans to use the employment service. Passed in 1980, P.L. 96-466 established the DVOP as a permanent program and placed DVOP specialists and LVER staff under a new Assistant Secretary for Veterans' Employment (ASVE).

The ASVE was renamed by Secretary's Order 4-83 on March 24, 1983 to the Assistant Secretary for Veterans' Employment and Training (ASVET). VMS Vol. VIII - 1 - Last Update: 10/21/2008 The Veterans' Employment, Education and Counseling Amendments of 1988 (P.L. 100-323) detailed position duty statements for Federal and State staff down to the DVOP and LVER positions in the states including hiring and reduction-in-force protections. The Act revised Chapter 41 of Title 38, U.S.C. and added in Chapter 42, the requirement of VETS to monitor and report the affirmative action hiring of veterans by Federal contractors (38 U.S.C. 4212), and affirmative action requirements for hiring and advancement within Federal agencies (38 U.S.C. 4214).

In 1998, President Clinton enacted the Workforce Investment Act (P.L. 105-220) to replace the Job Training Partnership Act (JTPA) and required labor exchange services be provided through a One-Stop Career Center concept. This legislation defined intensive services to include case management. President Bush enacted the Jobs' for Veterans Act (P.L. 107-288) on November 7, 2002. This legislation revised Chapters 41-43 of Title 38 to give states more latitude in the conduct of their DVOP and LVER staff and placed more emphasis on accountability. It requires states to submit a detailed plan of services to veterans, requires the ASVET to monitor the distribution and use of the funds by the states, and mandates priority of service to veterans for all employment and training programs funded in whole or in part by the Department of Labor.

Jobs for Veterans State Grant Objectives

The objectives of the JVSG grant are clearly spelled out in the "Purpose" of 38 U.S.C. Chapter 41 where Congress declares that there will be "an effective job and job training program and an employment placement program for veterans and other eligible persons" that maximizes employment and training opportunities for covered persons (38 U.S.C. 4102). This section further stipulates that priority will be given to the "needs of disabled veterans and veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized through existing programs, coordination and merger of programs and implementation of new programs, including programs carried out by the Veterans' Employment and Training Service to implement all efforts to ease the transition of service members to civilian careers that are consistent with, or an outgrowth of, the military experience of the service members."

Standard Operating Procedures for DVOPs / LVERs

The purpose of this manual is to explain required roles and responsibilities for Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff in Tennessee Department of Workforce Development's American Job Center (AJC) offices

Definitions

- **Eligible Veteran**, as defined by the United States Code Title 38 Veterans' Benefits, Chapter 4211, paragraph (4), subparagraph (A) (B), is a person who:
 - Served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge
 - O Was discharged or released from active duty because of a service-connected disability, or as a member of a reserve component under an order to active duty pursuant to section 12301 9a), (d), or (g), 12302, or 12304 of title 10, 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.
- **Eligible Spouse**, as defined by the United States Code Title 38 Veterans' Benefits, Chapter 4101, means:
 - o The spouse of any person who died of a service-connected disability
 - 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:
 - Missing in action
 - Captured in line of duty by a hostile force
 - Forcibly detained or interned in line of duty by a foreign government or power
 - 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 dies while a disability so evaluated was in existence.

Please note: A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be: if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level.

Similarly, a spouse, whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member.

To further clarify, the spouse of a veteran, who died of a service-connected disability or died while a disability was in existence, would not lose covered status through subsequent remarriage.

- Additional Service Populations, as defined in The Consolidated Appropriations Act of 2014, are populations receiving support services funded by Jobs for Veteran State Grant (JVSG) under this Act. Those populations include:
 - Transitioning member of the Armed Forces who have been identified as in need of intensive services
 - Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units
 - o The spouses or other family caregivers of such wounded, ill, or injured members.
- **Family caregiver**, with respect to an eligible veteran, means a family member who is a caregiver of the veteran
- Caregiver with respect to an eligible veteran, means an individual who provides personal care services to the veteran
- **Family member**, with respect to an eligible veteran, means an individual who
 - o Is a member of the veteran's family, including
 - A parent
 - A spouse
 - A child
 - A step-family member
 - An extended family member

- o Lives with, but is not a member of the family of the veteran
- **Transitioning Service Members (TSM)** according to VPL 08-14, are those members falling within the three categories below and are therefore eligible for DVOP services
 - Services members who receive a warm handover, or who produce a DD-2958 signed by their commander documenting that they have not met Career Readiness Standards
 - Transitioning service members ages 18-24, regardless of whether they meet Career Readiness Standards
 - Active duty service members being involuntarily separated through a service reduction in force
 - Recently Separated Veteran according to 38 U.S. Code §4211, means any veteran during the three-year period beginning on the date of such veteran's discharge or release from active duty
 - **Disabled Veteran** according to 38 U.S. Code §4211, means
 - 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, or
 - A person who was discharged or released from active duty because of a service-connected disability.

Priority of Service

It is the responsibility of the public workforce system to provide priority of service for all veterans and eligible spouses (Covered persons) who receive services under any qualified job training program. Veterans and eligible spouses are given priority over non-covered persons for the receipt of career assistance provided under workforce services. This priority means that a veteran or an eligible spouse of a veteran will receive access to a service earlier than a non-covered person.

For a service such as classroom training or other training services, priority of services applies to the selection procedure as follows.

- First, if there is a waiting list for the formation of a training class or other training services then priority of service requires a veteran or other eligible to go the top of that list.
- Second, priority of service applies up to the point at which an individual is both approved for funding and accepted or enrolled in a training class, priority of service is not intended to allow a veteran or eligible spouse to "bump" the non-covered person from that training class.

It is important to distinguish between the identification of a veteran for priority of services and the verification a veteran's status or the verification of an eligible spouse. If an individual self-identifies as a veteran or eligible spouse, at the American Job Center, that individual should be provide with immediate priority in the delivery of employment services. When a veteran or eligible spouse undergoes eligibility determination for enrollment (e.g. in WIOA Adult Program), it is appropriate to initiate verification of veteran status.

The only employment services that require prior verification of eligibility for priority of service are those that require a commitment such as classroom training.

American Job Centers must ensure that veterans and eligible spouses are identified at the "point of entry" (reception area, resource area, Web-sites, Self Service and informational bulletin boards etc.), and informing veterans and eligible spouses of their entitlement to priority of services. These services include the full array of employment, training and placement services.

Procedure to Ensure Priority of Service

- 1. Identify veterans and eligible spouses when they visit service delivery points
- **2.** Display signs that clearly describe the priority of services and the registration process. This information must also be conveyed when veteran and eligible spouse access services electronically or by telephone.
- **3.** It is neither necessary nor appropriate to require verification of the status of a veteran or other eligible at the point of entry
- **4.** If a person self identifies as a veteran or other eligible immediate priority of service is required
- **5.** Persons who self identify and who have not already been determined to be eligible for DVOP services should fill out the Military Services Form (See attachment 1) to determine eligibility
 - **a.** Answering "yes" to any of the questions in section A or B would indicate that the veteran is eligible for DVOP services
 - **b.** In section A, question 6 of the Military Services Form, (See attachment 2) the attached chart referred to is updated yearly by the US DOL, and the update information will be provided in an LLSIL policy which can be located at http://www.tn.gov/workforce/article/wioa-technical-assistance
- **6.** Coordinate employer outreach development activities with related responsibilities of LVER staff
- 7. Identify employers who are interested in hiring veterans
- 8. Promote job fairs for veterans and eligible spouses
- **9.** Monitoring the priority of services will be done at the point of entry and during training or employment services

General Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans

- Welcome Team Staff Identify those eligible veterans or eligible spouses with significant barriers to employment (SBE) and direct those veterans to the Disabled Veterans' Outreach Program Specialist (DVOPs) for assistance for intensive services and case management. In the event that a DVOP specialist is not available, the veteran or spouse will be referred to the appropriate Wagner-Peyser or WIOA staff in addition to scheduling or referring to an available DVOP Specialist by appointment. Under normal operating circumstances, all AJC customers are greeted by the welcome team and moved on to the appropriate staff for assistance.
- **Wagner-Peyser Staff** The majority of veterans should be served by Wagner-Peyser or WIOA staff rather that the JVSG Veteran staff.
- **Veteran staff (DVOPs)** Efforts of veteran staff will be focused on veteran customers with significant barriers to employment (SBE) in accordance with Veterans Program Letter 03-14 and 03-14, Change 1 and Change 2. The six significant barriers to employment (SBE) are:
 - **1.** A special disabled or disabled veteran, defined in 38 U.S.C.§ 4211 (1) and (3); Special disabled and disabled veterans are those:
 - **a.** Who are entitled to compensation (or who would be entitled to compensation but for the receipt of military retired pay) under laws administered by the Secretary of Veteran Affairs
 - **b.** Were discharged or released from active duty because of a service connected disability
 - **2.** A Homeless person, as defined in Section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a) and (b), as amended)
 - **3.** A recently separated service member, as defined in 38 U.S.C.§ 4211(6), who has been unemployed for 27 or more weeks in the previous 12 months, i.e. the term of unemployment over the previous 12 months remains 27 weeks; however, the requirement of 27 consecutive weeks is eliminated.

- **4.** An offender, as defined by WIOA Section 3 (38) 1, who is currently incarcerated or who has been released from incarceration, i.e. the expanded definition of SBD includes any eligible veteran or eligible spouse who is currently or was formerly incarcerated, removing the "within the last 12 months" requirement
- **5.** Lacking a high school diplomas or equivalent
- **6.** Low-income individual (as defined by WIOA Section 3 (36)
- **7.** A veteran between the ages of 18-24
- **8.** A Veteran Affairs Vocational Rehabilitation and Employment Chapter 31 Veteran
- **9.** A Transitioning Service Member in need of intensive services
- **10.** Wounded, ill, or injured Service Member receiving treatment at a military facility, or Warrior Transition Unit (MFT/WTUS)
- **11.** Spouses and family care givers of such wounded, ill, or injured service members

Disabled Veterans' Outreach Program Specialist (DVOP) Roles

In Veterans' Program Letter 07-10 and 03-14, DVOP specialists facilitate intensive services to veterans with barriers to employment and/or special training needs which include:

- Conducting a comprehensive assessment (minimum requirement)
- Developing an individual employment plan that is documented (minimum requirement)
- Chapter 31 Vocational Rehabilitation & Employment Case Management
- Coordinating supportive services
- One-on-one career counseling
- Providing short term pre-vocational services
- Group counseling

Case Management and Tracking

The DVOP specialist is the DWD case tracker for veterans in the United States Department of Veterans Affairs Vocational Rehabilitation and Employment Program (Title 38, code of Federal Regulations, and Chapter 31). This program requires extensive follow-up and the DVOP specialist will be allowed sufficient time to do the case management and intensive services to meet these requirements. The DVOP specialist will work closely with the LVER and AJC's Business Service Team (BST) to ensure that veterans in Chapter 31 programs who are "job ready" receive priority in their job search, as determined by the Vocational Rehabilitation Counselor (VRC) at the VA.

In accordance with Department of Labor Veterans' Employment and Training Service (DOLVETS) Technical Assistance Guide dated December 2008, DVOPs are required to complete a service every two weeks for the Chapter 31 veterans that they are case managing. Typically, this service will be recorded in the current state client tracking systems under the Chapter 31 Case Management selection.

The DVOP specialist is the resident expert on programs available to assist SBE veterans in improving their skills so they can take the next step in their careers. This includes workshops the DVOP may present and other staff services available at the WorkOne office as well as the programs available through the Veterans' Administration, such as the Vocational Rehabilitation and Employment Program Services (VOC REHAB) and other WIOA

training programs. The DVOP specialist will do outreach to all veterans. DVOPs will coordinate outreach activities with their formal and functional managers to ensure maximum efficiency of the event. In the event that DVOP specialist does not have a full case load of eligible veterans and eligible spouses, the DVOP specialist may perform additional outreach activities. For example, at such locations:

- Vocational Rehabilitation & Employment (VR&E) Services
- Homeless Veterans Reintegration Program (HVRP)
- VA medical and other Centers
- Veterans' Administration Community Based Outpatient Clinic (CBOC)
- Homeless shelters
- Civic and service organizations
- Community Stand Downs
- Military installations
- WIOA partners
- State Vocational Rehabilitation Services
- County Service Veterans Service Officer

Case Noting Case notes for veterans in the Chapter 31 program are confidential and will be kept separate from other case management files. Specific veterans' disability data will not be recorded in any computer system. The only data that can be recorded is the percentage of disability rated by the US Department of Veterans Affairs.

Rapid Response for Dislocated Veterans

At a minimum, the DVOP should be a part of the rapid Response Team at selected Rapid Response events for dislocated veterans, ensuring that SBE veterans are offered JVSG services.

Local Veterans' Employment Representative (LVER) Roles

In Veterans' Program Letter 07-10 and 03-14, the following are the mandated functions for the Local Veterans' Employment Representative Staff:

- As an integral part of the State's Labor Exchange System, LVER staff work with employers to promote veterans as job seekers who have highly marketable skills and experience.
- 2. LVER staff advocate for veterans to gain employment and training opportunities with business, industry, and community-based organizations to accomplish this, LVER staff participates in a variety of outreach activities including, but not limited to:
 - a. Planning and participation in job fairs
 - Coordinating with unions, apprenticeship programs, and business organizations to promote employment, and training opportunities for veterans
 - c. Promoting credentialing and training opportunities for veterans with training providers and licensing agencies
- 3. LVER staff establishes, facilitates, and/or maintains regular contact with employers to include federal contractors. They will coordinate with employer relations representatives as part of the AJC system to include veterans in their marketing efforts.
- 4. LVER staff provides and facilitates a full range of employment, training, and placement services to meet the needs of priority veterans in targeted categories identified and approved in the State Plan. These services may include, but are not limited to:
 - a. Conducting job search assistance workshops in conjunction with employer
 - b. Providing job development opportunities

The LVER will be integrated into the AJC's Employment Team or Business Services Team (or equivalents). The difference between the LVER and any other member of the team is that the LVER advocates for veterans for employment and training opportunities with business, industries, union, and apprenticeship programs. They may ask employers specifically to seek veterans for positions in their companies. Optimally, the employer would target specific positions for veterans with certain skills (based on the veterans' military training/military occupational specialty). Under no circumstances will the LVER provide

related services to nonveteran customers unless the customer is an eligible spouse covered by priority of service.

The LVER staff will be able to inform the community of Veteran Services. LVER staff may be encouraged to attend community meetings such as area Unions, Hiring Events, and local Chamber of Commerce to promote all the AJC services, both as a networking tool and for the opportunity to speak about veterans' programs. These activities will be coordinated with the Business Services Team.

Joint Responsibilities of DVOPs and LVERs

Outreach Accountability

In order to maintain accountability for time spent on outreach, each LVER and DVOP will report the results of their outreach activities, including but not limited to travel logs in writing via email or Outlook Calendar Shares to their AJC's local management staff. If necessary, copies of these documents and schedules will be provided to formal State Managers, and/or functional managers when applicable. This report will be used by the LVER staff, Regional Operators, and the Workforce Development Boards (WDBs) to produce the required quarterly reports for the State Veterans Coordinator and U.S. Department of Labor Veterans' Employment and Training Services as required in Public Law 107-288 and VPL 01-15. Outreach activities will be reviewed by supervisors and those that are determined by the management team to be unproductive may be discontinued.

National Veterans Training Institute (NVTI)

All DVOPs and LVERs are required to attend veteran related courses at NVTI within 18 months of assignment or hire. Typically, most veteran representatives will attend at least two courses offered by NVTI. In some instance, the State Veterans Coordinator may elect to send veterans' representatives to additional courses based on career development.

Tennessee Seamless Transition Program

In some instances, LVERs and DVOPs will be called upon to assist with the State of Tennessee Seamless Transition Program for State Guard and Reservists returning from deployment. This may include the Yellow Ribbon Program for returning deployed service members.

Department of Labor & Workforce Development

Attachment I

MILITARY SERVICES FORM

Priority of service is the right of every qualifying individual who served in the military or eligible military spouses to receive employment, training, and placement services before non-eligible persons, as long as other provisions of the law are met. Please complete this questionnaire so we can determine your eligibility for services.

SERVED IN THE MILITARY (Section A)		
Date:		
Full Name: SSN:		
Branch of Service: Discharge Type: Dates of Service: R	≀ank/Rate:	
Contact Information: ()		
How can we help you today?		
Have you ever served on active duty in any branch of the Armed Forces, or are you a Transitioning Se Wounded Warrior, Spouse or Family Caregiver of a service member or veteran? If so you may be entiservices if you can attest to at least one of the criteria below;		
1. Are you a special disabled or disabled veteran whereas you are;		
Entitled to compensation (or who but for the receipt of military retired pay would be entitled to		
Compensation)? or	Yes	□ No
Have a claim pending with the VA; or		□ No
Were discharged or released from active duty because of a service-connected disability?		□ No
2. Are you homeless or without a permanent residence?	\[Yes	□ No
3. A recently-separated service member, (Within 3 years of End of Active Service) who at any point	t in	
the previous 12 months has been unemployed for 27 or more weeks?	□ Yes	□ No
4. An offender, who is currently incarcerated or has been released from custody?	\[Yes	□ No
5. Are you in need of a high school diploma or equivalent certificate?	🗆 Yes	□ No
6. Low-income (as defined by the State.(See attached chart)?	🗆 Yes	□ No
7. Are you between the ages of 18 and 24?		□ No
OTHER ELIGIBLE (Section B)		
1. Are you a Transitioning Service Member with any of the criteria as defined in section A?		□ No
2. Do you have a letter from the VA stating you are an eligible spouse?	\ \ Yes	□ No
3. Does your spouse have a total disability from a service-connected disability?	🗆 Yes	□ No
4. Has your spouse been listed as forcibly detained or interned by a foreign government or power	r,	
missing in action, or captured in line of duty for a total or more than 90 days?		□ No
5. Are you the surviving spouse of a veteran who died of a service-connected disability as evaluate		
by the VA or while having a total permanent service-connected disability?	\ \ Yes	□ No
6. Are you a "Wounded Warrior" currently in a treatment Facility or a Caregiver of one?		□ No
MILITARY DOCUMENTS		
1. Do you need to obtain a DD214?		□ No
2. Did you receive a DD2958 Service Member Career Readiness Standard/Individual Transition Plan	ı?_ □Yes	□ No

Annual Workforce Innovation and Opprotunity Act Guidelines 2017

Family Size	70% LLSIL* - Non-Metro	70% LLSIL* - Metro	Poverty Level	
1	\$9,078	\$9,216	\$12,060	
2	\$14,872	\$15,101	\$16,240	
3	\$20,411	\$20,727	\$20,420	
4	\$25,197	\$25,588	\$24,600	
5	\$29,734	\$30,201	\$28,780	
6	\$34,773	\$35,321	\$32,960	
7	\$39,812	\$40,441	\$37,140	
8	\$44,851	\$45,561	\$41,320	
9	\$49,890	\$50,681	\$45,500	
10	\$54,929	\$55,801	\$49,680	
11	\$59,968	\$60,921	\$53,860	
12	\$65,007	\$66,041	\$58,040	
family member add:	\$5,039	\$5,120	\$4,180	

Note:

To use this chart:

- 1) Compare the poverty level for the family size against either the Metro or Non-Metro LLSIL, depending on the county of residence
- 2) Use the higher of the two values

*LLSIL: is the Lower Living Standard Income Level

Legend

The highlighted boxes indicate that the LLSIL is **lower** than the corresponding Poverty Level.

Revised: May 2017

2016 Counties								
Anderson		Metro	Hancock	Non-Metro		Obion	Non-Metro	
Bedford	Non-Metro		Hardeman	Non-Metro		Overton	Non-Metro	
Benton	Non-Metro		Hardeman	Non-Metro		Perry	Non-Metro	
Bledsoe	Non-Metro		Hardin	Non-Metro		Pickett	Non-Metro	
Blount		Metro	Hawkins		Metro	Polk		Metro
Bradley		Metro	Haywood	Non-Metro		Putnam	Non-Metro	
Campbell		Metro	Henderson	Non-Metro		Rhea	Non-Metro	
Cannon		Metro	Henry	Non-Metro		Roane		Metro
Carroll	Non-Metro		Hickman		Metro	Robertson		Metro
Carter		Metro	Houston	Non-Metro		Rutherford		Metro
Cheatham		Metro	Humphreys	Non-Metro		Scott	Non-Metro	
Chester		Metro	Jackson	Non-Metro		Sequatchie		Metro
Claiborne	Non-Metro		Jefferson		Metro	Sevier	Non-Metro	
Clay	Non-Metro		Johnson	Non-Metro		Shelby		Metro
Cocke	Non-Metro		Knox		Metro	Smith		Metro
Coffee	Non-Metro		Lake	Non-Metro		Stewart	Non-Metro	
Crockett		Metro	Lauderdale	Non-Metro		Sullivan		Metro
Cumberland	Non-Metro		Lawrence	Non-Metro		Sumner		Metro
Davidson		Metro	Lewis	Non-Metro		Tipton		Metro
Decatur	Non-Metro		Lincoln	Non-Metro		Trousdale		Metro
DeKalb	Non-Metro		Loudon		Metro	Unicoi		Metro
Dickson		Metro	Macon		Metro	Union		Metro
Dyer	Non-Metro		Madison		Metro	Van Buren	Non-Metro	
Fayette		Metro	Marion		Metro	Warren	Non-Metro	
Fentress	Non-Metro		Marshall	Non-Metro		Washington		Metro
Franklin	Non-Metro		Maury		Metro	Wayne	Non-Metro	
Gibson	Non-Metro		McMinn	Non-Metro		Weakley	Non-Metro	
Giles	Non-Metro		McNairy	Non-Metro		White	Non-Metro	
Grainger		Metro	Meigs	Non-Metro		Williamson		Metro
Greene	Non-Metro		Monroe	Non-Metro		Wilson		Metro
Grundy	Non-Metro		Montgomery		Metro			<u>-</u>
Hamblen		Metro	Moore					
Hamilton		Metro	Morgan		Metro			