**Dislocated Worker and Federal Adult Programs (DWFAP) Terms and Definitions**

Use the definitions below to define the various terms within the following programs administered by the Minnesota Department of Employment and Economic Development (DEED):

* Workforce Innovation and Opportunity Act (WIOA) Adult Program,
* WIOA Dislocated Worker (DW) Program,
* State Dislocated Worker (DW) Program,
* National DW Grants (NDWG) Program,
* Retaining Employment and Talent after Injury/Illness Network (RETAIN),
* Certain special programs such as the:
	+ Reentry Pilot Program,
	+ Tech Training.

**Relevant Laws, Rules, or Policies**

Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) (42 USC 5121 et seq)

Civil Service Reform Act of 1978 (CSRA) (5 USC Ch. 11 et seq)

Museum and Library Services Act (MLSA) (20 USC 9101 et seq)

Workforce Innovation and Opportunity Act (WIOA) (42 USC 3101 et seq)

Worker Adjustment and Retraining Notification (WARN) Act (29 USC 2101 et sq)

Violence Against Women Act of 1994 (VAWA) (42 USC 14043 et seq)

Women in Apprenticeship and Nontraditional Occupations Act (WANOA) (29 USC 2501 et seq)

Richard B. Russell National School Lunch Act (NSLA) (42 USC Ch. 13 et seq)

Fair Labor Standards Act (FLSA) of 1938 (29 USC 203 et seq)

United States Code (USC) 10 USC Section 101

United States Code (USC) 38 USC Section 101

Code of Federal Regulations (CFR) 20 CFR Part 681

Code of Federal Regulations (CFR) 20 CFR Part 680

Code of Federal Regulations (CFR) 29 CFR Part 30

Code of Federal Regulations (CFR) 29 CFR Part 1904

Training and Employment Guidance Letter (TEGL) 19-16 (March 1, 2017)

Training and Employment Guidance Letter (TEGL) 10-16, Change 3 (June 24, 2024)

Training and Employment Guidance Letter (TEGL) 07-22 (January 18, 2023)

Training and Employment Notice (TEN) 25-19 (June 8, 2020)

Training and Employment Notice (TEN) 23-23 (March 5, 2024)

Wage and Hour Division (WHD) Fact Sheet #13 (March 2024)

Minnesota State Statute 116L.17

Minnesota State Statute 116L.61

Minnesota State Statute 197.447

**Questions can be directed to:**
**Email:** DWFAPrograms.DEED@state.mn.us
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**Note:** Terms that are *Italicized* mean those terms are also defined within this document.

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|  **DWFAP Terms and Definitions** |
| **Active Duty:** Means full-time duty in the active *U.S. Armed Forces*. This includes:[[1]](#footnote-1)* Full-time training duty, annual training duty, and attendance,
* While in the active military service, at a school designated as a service school by law (Including as a cadet at the U.S. Military Academy, Air Force Academy, or Coast Guard Academy, or as a midshipman at the United States Naval Academy[[2]](#footnote-2)) or by the Secretary of the military department concerned, and,
* Authorized travel to or from such duty.[[3]](#footnote-3)

**Note:** Such term does not include full-time National Guard duty.[[4]](#footnote-4) |
| **Adult:** Means an individual who is age 18 or older.[[5]](#footnote-5) |
| **Older Individuals** **(Also known as Older Adults):** Means an individual who is age 55 or older.[[6]](#footnote-6) |
| **U.S. Armed Forces**: Means individuals in the Army, Air Force, Navy, Marine Corps, Coast Guard, and their Reserve components.**Note:** Individuals in the Space Force should also be included where applicable.[[7]](#footnote-7) |
| **Underemployed:** The WIOA Final Rule allows the State or Local Workforce Development Boards to define the term underemployed.[[8]](#footnote-8) Underemployed includes, but is not limited to, the following:[[9]](#footnote-9)* An individual who is working part-time but desires full-time employment; or
* Is working in employment not commensurate with the individual's demonstrated level of educational and/or skill achievement; or
* Is a *Low-Income* individual, including those making less than 100% of the Federal Poverty (FP) Guidelines issued by the U.S. Department of Health and Human Services or less than 70% of the Lower Living Standard Income Level (LLSIL) Guidelines issued by the U.S. Department of Labor[[10]](#footnote-10); or
* Is employed but is receiving earnings that are less than 80 percent of earnings from previous employment.
 |
| **Inconsistent Work History:** Means individual who in the 12 months prior to program registration, has lacked steady, full-time, permanent employment.Examples include, but are not limited to:* Seasonal employment
* Temporary employment
* Employment that is part-time
* Periods of employment of less than 10 consecutive weeks
* Interruptions with employment or challenges obtaining employment due to spouse’s military assignments.
 |
| **Postsecondary Credentials:** Means a credential consisting of an *Industry-Recognized Credential* or certification, a certificate of completion of an apprenticeship, a license recognized by the State involved or Federal Government, or an associate or baccalaureate degree.[[11]](#footnote-11) The terms most commonly used for educational credentials are diploma, certificate, and degree.Examples of common postsecondary credentials include:[[12]](#footnote-12) * Associate’s degrees;
* Bachelor’s degrees;
* Occupational licensures;
* Occupational certificates, including Registered Apprenticeship Programs, and career and technical education educational certificates;
* *Occupational Certifications*; and
* Other recognized certificates of industry/occupational skills completion sufficient to qualify for entry-level or advancement in employment.
 |
| **Industry-Recognized Credential:** Means a credential or certification, including Registered Apprenticeship Programs, that is either:[[13]](#footnote-13) * Developed and offered by, or endorsed by, a nationally or regionally recognized industry association or organization representing a sizeable portion of the industry sector, or,
* A credential that is sought or accepted by companies within the industry sector for purposes of hiring or recruitment, which may include credentials from vendors of certain products.
 |
| **Occupational Certification(s):** Means a certification that indicates an individual has acquired the necessary competencies, including knowledge, skills, and sometimes, personal attributes, to perform a specific occupation.[[14]](#footnote-14)Occupational certifications are generally:[[15]](#footnote-15)* Granted by third-party, non-governmental agencies – usually associations – and by companies (Which may offer certification on use of their own products – either software, hardware, or equipment);
* Intended to set professional standards for qualifications, such as a certification for a crane operator;
* Required to be renewed in some way after a certain time period based on meeting certain requirements for renewal;
* Voluntary (Although state licensure boards and businesses may specify certification as part of licensing requirements);
* Revocable – violation of standards or requirements can result in suspension or revocation of certification;
* Based on standards that are not defined by government laws or regulations;
* Set through a defensible, industry-wide process of job analysis or role delineation that results in an outline of required knowledge and skills;
* Based on successful completion of an examination or assessment, which indicates mastery of competencies as measured against a defensible set of standards; and,
* Predicated on a set amount of work experience or professional/practical experience.
 |
| **Pre-Apprenticeship:** Means a training model designed to assist individuals who do not currently possess the minimum requirements for selection into a [Registered] Apprenticeship Program.[[16]](#footnote-16) Pre-apprenticeships should ultimately provide education and workplace-simulated training that can prepare individuals to enter a Registered Apprenticeship Program. Pre-apprenticeship programs may also be referred to as Apprenticeship Readiness or Apprenticeship Preparation programs.[[17]](#footnote-17) |
| **Non-Credentialed Training (NCT):** Means an organized program or course of study that provides occupationally specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at intermediate or advanced levels but does not result in an *Industry-Recognized Credential* when successfully completed. |
| **Digital Literacy Skills**: Means the skills associated with:[[18]](#footnote-18)* Using technology to enable users to find, evaluate, organize, create, and communicate information; and,
* Developing digital citizenship and the responsible use of technology.
 |
| **Furlough Employee:** Means the placing of an employee in a temporary status without duties and pay because of lack of work or funds or other non-disciplinary reasons[[19]](#footnote-19). As such, it is a temporary termination of employment or layoff. Workers on “furlough” without pay or on a mandatory leave without pay, are considered to be on temporary-to permanent layoff and therefore may be eligible for National Dislocated Worker Grant (NDWG) program services. |
| **Individual Employment Plan (IEP):** Means an individualized career service, under WIOA, that is developed jointly by the participant and career planner when determined appropriate by the one-stop center or one-stop partner. The plan is an ongoing strategy to identify employment goals, achievement objectives, and an appropriate combination of services for the participant to achieve the employment goals.[[20]](#footnote-20) |
| **Eligible for Unemployment Insurance:** Means an individual who has applied for unemployment insurance and has received confirmation that they will receive benefits under State or Federal unemployment insurance laws. * An individual does not need to actually draw down benefits to be considered eligible.
* Individuals who have exhausted unemployment insurance have already proven eligibility for unemployment insurance and are included in this definition.
* To document UI eligibility in a participant’s file, a case manager should provide a document showing specific benefit amounts with a reference to the participant’s name or other identifying information. For example, a “determination of eligibility letter” and/or a payment history printout establish UI eligibility.
* The intent of including unemployment insurance terminology in DW eligibility policy is to ensure service to those who have truly lost their job through no fault of their own, rather than those voluntarily leaving employment or those discharged from employment for cause.
* An exception may be made to allow DW eligibility even if the individual is not eligible for unemployment insurance, if the worker meets all other criteria in this definition and is not eligible for unemployment insurance due to either A), insufficient earnings in the relevant time period or, B), having worked for an employer not covered by unemployment compensation law.
 |
| **Small Group Layoff:** Means a reduction in force which first, is not the result of a plant closing, and second, results in an employment loss at the single site affecting less than 50 individuals. |
| **Long-Term Unemployed (State DW Definition):** Means an individual who is unemployed for at least 15 of the last 52 weeks, with limited opportunity in the individual’s local labor market for reemployment in a similar occupation. The 15 weeks can be consecutive or nonconsecutive.  |
| **Long-Term Unemployed (Federal Definition):** Meansa person who has been unemployed for 27 or more consecutive weeks. |
| **Mass Layoff**: Means layoffs affecting 50 or more workers; or when a Worker Adjustment and Retraining Notification (WARN) Act notice has been filed, regardless of the number of workers affected by the layoff announced. |
| **Unlikely to Return to a Prior Occupation or Industry:** The WIOA Final Rule allows State or Local Workforce Development Boards to define the term "unlikely to return to a previous industry or occupation." Local Areas also have the option of adopting DEED’s definition below. An individual is unlikely to return to a prior occupation or industry if job opportunities in that occupation or industry are diminished for that individual. Below are some factors to consider:* Official assessments of market demand for the products or services in that occupation or industry;
* Local labor market conditions for that industry or occupation;
* The evolution of skill requirements in that occupation or industry, and whether the individual’s skills have kept pace over time;
* The impact of technology or trade on the industry or occupation;
* Barrier to employment such as a medical condition or disability that limit the individual’s ability to make it unlikely that they can return to that occupation;
* Unsuccessful job search;
* Excess number of individuals with similar skill sets and experience in the area.
 |
| **Eligibility Determination:** The process of collecting information from individuals during registration to determine approval or denial of eligibility in accordance with the eligibility criteria set forth in statute. |
| **General Announcement:** DEED defines a general announcement as any official announcement made by an employer or a representative of the employer, specifying intent to close down an employment site (including virtual site). Examples of official announcement may include but not limited to WARN notice, press release, notices sent to workers or labor unions, etc.**Note:** Local providers must define the term "general announcement" of a plant closing in local policy. |
| **Termination of Employment:** Means a permanent situation in which the employer lays off and does not plan to rehire the individual. For purposes of this definition, the following are not considered terminations of employment: * Seasonal unemployment where the individual reasonably anticipates returning to the same job, or,
* A planned or pre-determined end to an assignment through a temporary employment agency, unless it is paired with an unemployment insurance eligibility notification, or,
* A notice of termination that includes a certain or tentative recall date within 180 days of the initial layoff date. Any non-seasonal layoff projected to last 180 or more days is a termination of employment. A retirement or other voluntary separation from the labor force does not constitute a termination of employment, for purposes of this policy. The intent of this definition is to include only those terminated workers who wish to return to permanent work.
 |
| **Notice of Termination from Employment:** Means a written notification from the employer, naming one or more individuals and indicating that employment will cease for the individual(s) at a specific future date. |
| **Attachment to the Labor Force or Workforce (formerly Long Attachment):** Means a demonstrated attachment to the workforce. DEED considers one day of employment with the employer of dislocation sufficient to demonstrate attachment to the workforce. |
| **Temporary Recalls:** Means requests from an employer for their former workers, who have either received a notice of termination or been terminated from employment, to return to work for 180 days or less. In a temporary recall, the employer still clearly intends to terminate the worker. |
| **Reportable Individual**: Means an individual who has taken action that demonstrates an intent to use program services and who meets specific reporting criteria of the program, including: * Individuals who provide identifying information;
* Individuals who only use the self-service system; or
* Individuals who only receive information-only services or activities.
 |
| **Self-Employed Individual**: Means an individual who may not report to an authority that can lay him or her off, but whose business circumstances put the individual in a position similar to a termination of employment. Such circumstances may include, but are not limited to: * Failure of one or more businesses to which the self-employed individual supplied a substantial proportion of products or services; and/or,
* Failure of one or more businesses from which the self-employed individual obtained a substantial proportion of products or services; and/or,
* Substantial layoff(s) from, or permanent closure(s) of, one or more plants or facilities that support a significant portion of the relevant state or local economy; and/or,
* Failure of the self-employed individual’s farm or business due to general, relevant economic conditions.

Self-employed individuals may include both those leaving the enterprise permanently, and those who are in a transition period as a result of a prolonged effort to save the farm or business. A self-employed individual need not be physically removed from the enterprise, nor must he or she necessarily be in bankruptcy or foreclosure proceedings, in order to be considered under this definition. Family members (spouse or adult children) and farm or ranch hands who were active participants and derived their primary income from the enterprise may also fall under this definition. |
| **Public Assistance:** Means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.[[21]](#footnote-21)Examples of public assistance benefits include, but is not limited to:* Supplemental Nutrition Assistance Program (SNAP) benefits,
* Refugee Cash Assistance (RCA) benefits,
* Temporary Assistance for Needy Families (TANF) benefits,
* Minnesota Family Investment Program (MFIP) benefits,
* Federal Emergency Management Agency (FEMA) Individuals and Household Program (IHP) benefits,
* Medical Assistance (Minnesota’s Medicaid program) benefits,
* Minnesota General Assistance (GA) benefits,
* Minnesota Supplemental Aid (MSA) benefits,
* Public Housing Assistance (PHA) benefits,
* Women, Infants, and Children (WIC) benefits,
* *Low-Income* and/or Energy Assistance Program (EAP) benefits,
* And other utility, childcare, nutrition, and housing benefits
 |
| **Non-Work-Related Injuries or illnesses:** Means injuries and illnesses that:[[22]](#footnote-22)* Are not work-related, and,
* That the individual does not have a workers’ compensation case and,
* That the individual needs support to remain or reenter the workforce

Examples of non-work-related include injuries and illnesses include:[[23]](#footnote-23) * At the time of the injury or illness, the individual was present in the work environment as a member of the general public rather than as an employee,
* The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment,
* The injury or illness results solely from voluntary participation in a work wellness program or in a medical, fitness, or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball, or baseball,
* The injury or illness is solely the result of an individual eating, drinking, or preparing food or drink for personal consumption,
* The injury or illness is solely the result of doing personal tasks unrelated to employment,
* The injury or illness is solely the result of personal grooming, or self-medication for a non-work-related condition,
* The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the individual is commuting to or from work,
* The injury or illness is caused by a motor vehicle accident and occurs while the individual is personally traveling,
* The illness is the common cold or flu (**Note:** contagious diseases such as are considered work-related if the employee is infected at work).
 |
| **Basic Skills Deficient:** Means, with respect to an individual who is an adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s F*amily*, or in society.[[24]](#footnote-24)This includes individuals that:* Lack a high school diploma or high school equivalency and is not enrolled in secondary education, or,
* Are currently enrolled in an Adult Basic Education/Literacy program (ABE Program), or,
* Are referred from an Adult Basic Education/Literacy program (ABE Program), or,
* Completes a reading and/or math assessment at or below an 8th grade level, or,
* Is an English language learner, or,
* Is unable to compute or solve problems, or read, write, or speak English at a level necessary to function on the job or in society (**Note:** This definition is not meant to capture individuals who lack specific skills needed to function on a particular job they are seeking, but are otherwise proficient for many other occupations or situations).
 |
| **Low-Income:** Means an individual who:[[25]](#footnote-25)* Receives, or in the past six months has received, or is a member of a *Family* that is receiving or in the past six months has received, assistance through the SNAP or TANIF programs, the Supplemental Security Income (SSI) program, or State or local income-based *Public Assistance*.
* Is in a *Family* with total family income that does not exceed the higher then 100% of the Federal Poverty (FP) Guidelines issued by the U.S. Department of Health and Human Services;
* Is in a *Family* with total family income that does not exceed the higher then 70% of the Lower Living Standard Income Level (LLSIL) Guidelines issued by the U.S. Department of Labor,
* Is a *Homeless Individual*,
* Receives or is eligible to receive a *Free or Reduced-Price Lunch* under the National School Lunch Act (NLSA);
* Is a foster child on behalf of whom State or local government payments are made; or
* Is an individual with a disability whose own income (Family of one) meets the income requirements of “Low-Income” but who is a member of a *Family* whose income does not meet this requirement.
 |
| **Area Median Income (AMI):** Means the midpoint of a specific area’s income distribution as calculated on an annual basis by the U.S. Department of Housing and Urban Development (HUD).**Note:** AMI is used for assessing eligibility for affordable housing programs. |
| **Interim/Stop-Gap Employment**: Means a job that provides essential, transitory income and is accepted by the individual prior to and/or during participation in individualized career services or training services with the intention of ending such employment at the completion of the career or training services in favor of permanent, unsubsidized employment. Interim/stop-gap employment must not be with the employer that originally dislocated the worker, or with that employer via third party contract or any other basis, except for temporary recalls. Interim/stop-gap employment does not have to be part-time; but service providers must be cautious in allowing participants to engage in employment that may preclude effective program participation, particularly if training is involved. These individuals are: * Otherwise eligible for the DW programs but meets the definition of "*Underemployed*" outlined in a local provider's policy. For instance, an individual who is dislocated from a full-time job who has found part-time employment may still be considered a dislocated worker.

Interim/stop-gap employment cannot exceed the higher or either: * 80% of their wages at the date of the dislocation; or,
* The self-sufficiency threshold established by the service provide.
 |
| **Good Jobs (Also known as the Good Jobs Initiative):** Means employment that helps workers achieve economic stability and mobility, while prioritizing diversity and worker voice.[[26]](#footnote-26)The U.S. Departments of Commerce and Labor have identified eight Good Job principles including:[[27]](#footnote-27) * Recruitment and Hiring,
* Benefits,
* Diversity, Equity, Inclusion, and Accessibility (DEIA),
* Empowerment and Representation,
* Job Security and Working Conditions,
* Organizational Culture,
* Pay, including a Living Wage*,[[28]](#footnote-28)* and,
* Skills and Career Advancement.
 |
| **Individual with Barrier to Employment:** Means a member of one or more of the following populations:[[29]](#footnote-29) * *Displaced Homemakers*;
* *Low-Income* individuals;
* Indians, Alaska Natives, and Native Hawaiians;
* Individuals with disabilities;
* *Older Individuals*;
* *Ex-Offenders*;
* *Homeless Individuals* or homeless youth;
* Youth who are in or have aged out of the foster care system;
* Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers;
* Eligible migrant and season farm workers;
* Individuals within two years of exhausting lifetime TANF eligibility
* Single parents (including pregnant women);
* *Long-term Unemployed* individuals;
* Such other groups as the Governor involved determines to have barriers to employment.
 |
| **Employee-Employer Relationship:** Means an individual is employed as an employee, not an independent contractor, under the Fair Labor Standards Act (FLSA).[[30]](#footnote-30)The following factors guide the assessment of whether an individual is an employee under the FLSA or an independent contractor in business for themself:* Opportunity for profit or loss depending on managerial skill,
* Investments by the worker and the employer,
* Permanence of the work relationship,
* Nature and degree of control,
* Whether the work performed is integral to the employer’s business, and,
* Skill and initiative.

**Note:** Refer to the [WHD Fact Sheet #13](https://www.dol.gov/agencies/whd/fact-sheets/13-flsa-employment-relationship) for additional guidance to make Employee-Employer Relationship determinations. |
| **General Economic Conditions:** The WIOA Final Rule allows the State or Local Workforce Development Boards to define what constitutes “unemployed as a result of general economic conditions in the community where the individual resides or because of natural disasters.”[[31]](#footnote-31) Factors that may be considered include:* Decline or failure of one or more businesses integral to the individual's business (e.g., customers or suppliers);
* Mass layoffs or closure(s) at businesses that support a significant portion of the state or local economy;
* Lack of demand for the individual's products or services as demonstrated by labor market information;
* A substantial change in the marketplace that eliminates the need for the individual's product or service (e.g., internalization of a process previously done by an external contractor; automation of a process that eliminates the need for contract labor; change in legislation or policy which eliminates a required service or product);
* Depressed price(s) or market(s) for the individual's products or services;
* Generally high levels of unemployment in the local area.
* Generally high levels of poverty in the local area,
* Generally lower levels of Gross Domestic Product (GDP),
* Generally lower levels of Gross Regional Product (GRP),

**Note:** No single factor is necessarily definitive. |
| **Natural Disasters:** Means all types of natural catastrophe that resulted in local, State or Federal emergency declarations within the local (including county-level) community where the individual resides that results in loss of employment.This includes any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion.[[32]](#footnote-32)This includes natural catastrophe that results in loss of employment due to: * Loss of business infrastructure (i.e. place of business, product, etc.), and/or
* Spikes in local costs of business insurance, supplies, etc., and/or
* Closures or relocations of local businesses, clients, suppliers, etc.
 |
| **Nontraditional Employment:** Means occupations or fields of work, for which individuals from the gender involved comprise less than 25% of the individuals employed in each such occupation or field of work.[[33]](#footnote-33) |
| **Work Support Activities:** Means activities for low-wage (*Low-Income*) workers, in coordination with one-stop partners, which will provide opportunities for these workers to retain or enhance employment.[[34]](#footnote-34) These activities may include any activities available under the WIOA adult and dislocated worker programs in coordination with activities and resources available through partner programs. These activities may be provided in a manner that enhances the worker's ability to participate, for example by providing them at nontraditional hours or providing on-site childcare.[[35]](#footnote-35) |
| **Unsubsidized Employment**: Means employment in the private sector or public sector for which the employer does not receive a subsidy from public funds to offset all or a part of the wages and costs of employing an individual.[[36]](#footnote-36) |
| **Domestic Worker:** Means an individual who works for others as a home care worker, house cleaner or nannies to provide services and specialized care to households and families.[[37]](#footnote-37) |
| **Minnesota Family Resiliency Partnership (MFRP – Formerly known as Displaced Homemaker**) (**State DW Definition):** Means an individual who has spent a substantial number of years in the home providing homemaker services and:[[38]](#footnote-38) * Has been dependent upon the financial support of another; and now due to divorce, separation, death, or disability of that person, must find employment to self-support; or,
* Derived the substantial share of support from public assistance on account of dependents in the home and no longer receives such support.

**Note:** For State DW eligibility, the support must have ceased while the worker resided in Minnesota[[39]](#footnote-39).  |
| **Displaced Homemaker (Federal Definition):** Means an individual who has been providing unpaid services to family members in the home and who:[[40]](#footnote-40)* Has been dependent on the income of another family member but is no longer supported by that income; and
* Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment or
* Is the dependent spouse of a member of the *U.S Armed Forces* on *Active Duty* whose family income has been significantly reduced because of a deployment, a call or order to active duty, permanent change of station, service- connected death or disability of the service member, and,
* Is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.
 |
| **Military Spouse/Eligible Spouse (State DW Definition):** Means the spouse of a member of the *U.S.* *Armed Forces* who is on *Active Duty* and who meets at least one of the following:[[41]](#footnote-41)* Has lost employment as a direct result of relocation to accommodate a permanent change in the service member's duty station; or,
* Is unemployed or underemployed and facing barriers to obtaining or upgrading employment.
 |
| **Military Spouse/Eligible Spouse (Federal Definition):** Means an individual whose *U.S*. *Armed Forces* *Active Duty* or veteran spouse was:[[42]](#footnote-42)* Any veteran who died of a service-connected disability;
* Any member of the U.S. Armed Forces serving on *Active Duty* who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days, 1) was missing in action; 2) was captured in the line of duty by a hostile force; or 3) forcibly detained or interned in the line of duty by a foreign government or power;
* Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs;
* Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g., if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.
 |
| **Significantly Reduced Income:** Means a household income that: * Was above 250% of the FP Guidelines but experiences a decrease in income to 250% of the FP Guidelines or,
* Was less or a household income currently at or below 250% of the FP Guidelines that experiences any decrease in household income.
 |
| **Family**: Means two or more persons related by blood, marriage, or decree of court, who are *Living in a Single Residence*, and are included in one or more of the following categories:[[43]](#footnote-43)* A married couple and dependent children;
* A parent or guardian and dependent children; or
* A married couple.

A person not meeting the definition of “*Family*” is considered to be an individual (Also known as a “Family of One”). A person with a disability is also considered a family of one for eligibility purposes.In determining whether an individual without a disability can be considered a family of one, providers should consider the following:* An individual 14 years of age or older, not living with his/her family, and receiving less than 50% maintenance from the family in the six-month period prior to program application;
* An individual 18 years of age or older, living with his/her family, receiving less than 50% maintenance from the family in the six-month period prior to program application, and is not the principal earner nor the spouse of the principal earner.

**Note:** This includes same sex couples per *United States vs. Windsor* (570 U.S. 744 (2013)) |
| **Living in a Single Residence**: Means living with with other family members including temporary, voluntary residence elsewhere (e.g. attending school or college or visiting relatives). **Note:** It does not include involuntary temporary residence elsewhere (e.g. incarceration or placement as a result of a court order). |
| **Supportive Services**: Means services such as transportation, childcare, dependent care, housing, and needs-related payments, that are necessary to enable an individual to participate in [WIOA and/or State training and career services] activities.[[44]](#footnote-44) |
| **Training Services:** Means services such as education and training to help improve the career and/or job of an individual.This list is not all-inclusive and additional training services may be provided.[[45]](#footnote-45)* Occupational Skills Training (OST), including training for Nontraditional Employment;
* On-the-Job Training (OJT),
* Incumbent Worker Training (IWT),
* Programs that combine workplace training with related instruction, which may include cooperative education programs;
* Training programs operated by the private sector;
* Skills Upgrading and Retraining;
* Entrepreneurial Training;
* Transitional Jobs;
* Job Readiness Training (JRT),
* Adult Education and Literacy Activities (AELA), including activities of English language, and,
* Customized Training (CT) conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
 |
| **Homeless, Homeless Individual, and/or Homeless Person**: Means an individual who lacks a fixed, regular, and adequate nighttime residence:[[46]](#footnote-46)This includes an individual who:* Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
* Is living in a motel, hotel, trailer park, or campground due to the lack of alternative adequate accommodations;
* Is living in an emergency or transitional shelter;
* Is abandoned in a hospital; or
* Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or camping ground.

**Note:** Individuals imprisoned or detained under Federal or State law do not meet the definition. Additionally, individuals sleeping in a temporary accommodation while away from home (Work travel, vacation, etc.) should not, as a result of that alone, be recorded as homeless.[[47]](#footnote-47) |
| **Ex-Offender (Also known an Offender or a Justice-involved Individual):** Means an individual who:[[48]](#footnote-48) * Has been subject to any stage of the criminal justice process, and for whom services under WIOA may be beneficial; or,
* Requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.
 |
| **Veteran (State Definition)**: Means an individual who is citizen of the United States or a resident alien who has been separated under honorable conditions from any branch of the *U.S. Armed Forces* after having:[[49]](#footnote-49) * Served on *Active Duty* for 181 consecutive days or by reason of disability incurred while serving on *Active Duty*, or,
* Who has met the minimum active-duty requirement as defined by Code of Federal Regulations, or who has active military service certified the GI Improvement Act of 1977 (38 USC et seq and Public Law 95-202). The active military service must be certified by the U.S. Secretary of Defense as active military service and a discharge under honorable conditions must be issued by the Secretary [of Defense].
 |
| **Veteran (Federal Definition):** Means an individual who served in the active military, naval, air, or space service [*U.S. Armed Forces*], and who was discharged or released therefrom under conditions other than dishonorable.[[50]](#footnote-50) |

1. 8 USC 101(21) and TEGL 19-16, Attachment III (Page One) [↑](#footnote-ref-1)
2. 38 USC 101(21)(D) [↑](#footnote-ref-2)
3. 38 USC 101(21(E) [↑](#footnote-ref-3)
4. TEGL 19-16, Attachment III (Page One) [↑](#footnote-ref-4)
5. WIOA Sec. 3(2) and TEGL 19-16, Attachment III (Page One) [↑](#footnote-ref-5)
6. WIOA Sec. 3(39) [↑](#footnote-ref-6)
7. 101 USC 101(4) [↑](#footnote-ref-7)
8. TEGL 19-16 (Page 12) [↑](#footnote-ref-8)
9. TEGL 19-16 (Page 12) [↑](#footnote-ref-9)
10. MN Statutes, Sec. 116L.61, Sub. 4(2)(i) [↑](#footnote-ref-10)
11. WIOA Sec. 3(52) and TEN 25-19, Attachment I (Page I-1) [↑](#footnote-ref-11)
12. TEN 25-19, Attachment I (Page I-2) [↑](#footnote-ref-12)
13. TEN 25-19, Attachment I (Page I-3) [↑](#footnote-ref-13)
14. TEN 25-19, Attachment I (Page I-11) [↑](#footnote-ref-14)
15. TEN 25-19, Attachment I (Pages I-11 and I-12) [↑](#footnote-ref-15)
16. 29 CFR 30.2 “Pre-apprenticeship program” [↑](#footnote-ref-16)
17. TEN 23-23 (Page Three) [↑](#footnote-ref-17)
18. MLSA Sec. 9101(2) and WIOA Sec. 101(D)(7)(A) [↑](#footnote-ref-18)
19. CSRA Sec. 7511(a)(5) [↑](#footnote-ref-19)
20. 20 CFR 680.170 [↑](#footnote-ref-20)
21. WIOA Sec. 3(50) [↑](#footnote-ref-21)
22. MN Statutes, Sec. 116L.17 Sub. 1(9) [↑](#footnote-ref-22)
23. Based on 29 CFR 1904.5(b)(2) [↑](#footnote-ref-23)
24. TEGL 19-16, Attachment III (Page One) [↑](#footnote-ref-24)
25. WIOA Sec. 3(36) and TEGL 19-16, Attachment III (Pages Seven and Eight) [↑](#footnote-ref-25)
26. TEGL 07-22 (Page Four) [↑](#footnote-ref-26)
27. TEGL 07-22 (Pages Four and Five) and the [Good Job Principles Factsheet](https://www.dol.gov/sites/dolgov/files/goodjobs/Good-Jobs-Summit-Principles-Factsheet.pdf) [↑](#footnote-ref-27)
28. TEGL 07-22 (Page Five) [↑](#footnote-ref-28)
29. WIOA Sec. 3(24) and TEGL 19-16, Attachment III (Pages Eight and Nine) [↑](#footnote-ref-29)
30. WHD Fact Sheet #13 [↑](#footnote-ref-30)
31. 20 CFR 680.130(b) and 20 CFR 680.130(b)(2) [↑](#footnote-ref-31)
32. Stafford Act Sec. 102(2) [↑](#footnote-ref-32)
33. WIOA Sec. 3(37) and WANOA Sec. 2508(2) [↑](#footnote-ref-33)
34. 20 CFR 680.140(b)(1)(iii) and TEGL 19-16 (Page 22) [↑](#footnote-ref-34)
35. 20 CFR 680.140(b)(1)(iii) and TEGL 19-16 (Page 22) [↑](#footnote-ref-35)
36. TEGL 10-16, Change 3, Attachment I (Page I-4) [↑](#footnote-ref-36)
37. Definition is advisory and based off of the U.S. Department of Labor’s “[Domestic Workers Factsheet](https://www.dol.gov/sites/dolgov/files/WB/DomesticWorkersFactSheet.pdf)” (Page One) [↑](#footnote-ref-37)
38. MN Statutes, Sec. 116L.17, Sub. 1(C)(7) [↑](#footnote-ref-38)
39. MN Statutes, Sec. 116L.17, Sub. 1(C)(7) [↑](#footnote-ref-39)
40. TEGL 19-16, Attachment III (Page Four) [↑](#footnote-ref-40)
41. MN Statutes, Sec. 116L.17, Sub. 1(C)(8) [↑](#footnote-ref-41)
42. TEGL 19-16, Attachment III (Page Four) [↑](#footnote-ref-42)
43. TEGL 19-16, Attachment III (Page Five) [↑](#footnote-ref-43)
44. WIOA Sec. 3(59) [↑](#footnote-ref-44)
45. 20 CFR 680.200 [↑](#footnote-ref-45)
46. VAWA 14043e–2(6) and TEGL 19-16, Attachment III (Page Six) [↑](#footnote-ref-46)
47. TEGL 19-16, Attachment III (Page Six) [↑](#footnote-ref-47)
48. WIOA Sec. 3(38) [↑](#footnote-ref-48)
49. MN State Statutes Sec. 197.447 [↑](#footnote-ref-49)
50. WIOA Sec. 3(63)(A) and 38 USC 101 [↑](#footnote-ref-50)