



INDIANA
WORKFORCE
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FORMAL COMMUNICATION

TO: Indiana's Workforce Investment System

FROM: Nate Klinck, Director of Policy

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Technical Assistance Bulletin

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**Workforce Investment Act Dislocated Worker Eligibility Clarification
Definition of "Look-Back Period" and "Intervening Employment"**

Purpose

This TAB provides formal guidance regarding the definition and proper usage of a "look back period" and "intervening employment" when determining Workforce Investment Act (WIA) Dislocated Worker eligibility.

Content

At times, following an eligible dislocation event, an individual may accept some form of employment in order to provide economic stability while he/she tries to locate meaningful, self-sufficient employment that is within his/her chosen occupational field. In these cases, it is important for the Workforce Investment System to define what type of employment would be considered as "intervening employment," so that an individual that is otherwise eligible as a Dislocated Worker may be enrolled in the WIA Dislocated Worker program.

The Indiana Department of Workforce Development is establishing definitions for "look back period" and "intervening employment" that workforce investment boards and regional workforce boards throughout the State may utilize when determining Dislocated Worker eligibility.

Definitions

"Look Back Period" – For purposes of Dislocated Worker eligibility, a "look back period" shall be defined as the time period in a participant's past between the dislocation event that established WIA Dislocated Worker eligibility and the present.

The "look back period" shall be limited to a maximum of three years from the date of initial program enrollment.

“Intervening Employment” – “Intervening employment” is defined as stopgap employment accepted by an otherwise eligible Dislocated Worker that was taken for the purposes of maintaining economic stability during the look back period.

In order for a position to be considered as “intervening employment,” the following criteria must be met:

- Intervening employment was temporary in nature; *or*
- Intervening employment may not pay more than 80% of the wage and benefits the participant was earning at his/her job as part of the qualifying dislocation; *and*
 - Intervening employment was not the predominant occupation or field of expertise for the participant; or
 - Intervening employment was not in the same occupational field as the position that was part of the dislocation event.

Documenting Intervening Employment

When utilizing intervening employment to establish eligibility for a Dislocated Worker, case managers must document in case notes all positions the participant has worked during the look back period, specifically indicating how each position meets the definition of intervening employment. If the participant was terminated for cause from any intervening employment positions, the participant does not meet the Dislocated Worker eligibility criteria.

If any of the positions do not qualify as intervening employment or the individual does not meet any other Dislocated Worker eligibility criteria, the case manager shall not enroll the individual as a Dislocated Worker.

Questions regarding this TAB may be directed to:

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