

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	<b>CLASSIFICATION</b> Veterans
	<b>CORRESPONDENCE SYMBOL</b> OWI
	<b>DATE</b> October 30, 2015

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 19-13, CHANGE 2**

**TO:** STATE WORKFORCE AGENCIES  
STATE WORKFORCE ADMINISTRATORS  
STATE WORKFORCE LIAISONS  
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS  
STATE LABOR COMMISSIONERS  
TRADE ADJUSTMENT ASSISTANCE LEADS  
AMERICAN JOB CENTERS  
EMPLOYMENT AND TRAINING ADMINISTRATION GRANTEES

**FROM:** PORTIA WU /s/  
Assistant Secretary  
Employment and Training Administration

TERESA W. GERTON /s/  
Acting Assistant Secretary for  
Veterans' Employment and Training

**SUBJECT:** Expansion and Clarification of Homeless Definition as a Significant Barrier to Employment (SBE)

1. **Purpose.** To expand and clarify the definition of homeless as a SBE provided in Section 4 of TEGL 19-13, Change 1, dated February 11, 2015.
2. **References.**
  - [Section 11302](#) of U.S.C. Title 42, The Public Health and Welfare, Chapter 119, Homeless Assistance, Subchapter 1, General Provisions;
  - [Section 103](#) of The McKinney-Vento Homeless Assistance Act, Section 11302 of U.S.C. Title 42, as amended by The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, P.L. 111-22, Section 1502;

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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- Workforce Innovation and Opportunity Act (WIOA) of 2014, [P.L. 113-128](#); enacted July 22, 2014, Definitions, § 3(24)(G) and § 3(36)(A)(iii);
  - [TEGL 19-13, Change 1](#), Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program (DVOP), dated February 11, 2015;
  - [TEGL 19-13](#), Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, dated April 10, 2014;
  - [VPL 03-14, Change 1](#), Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program, dated February 11, 2015; and
  - [VPL 03-14](#), Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, dated April 10, 2014.
3. **Background.** TEGL 19-13, Change 1 and VPL 03-14, Change 1 clarified the populations eligible to receive services from DVOP specialists. The definition of homeless as a significant barrier to employment is expanded to include domestic violence and other dangerous or life-threatening conditions, as defined in Section 103(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(b)). This TEGL identifies this expansion.
4. **Guidance.** The definition of homeless as a SBE is updated to include paragraph (b) of Section 103 of the McKinney-Vento Homeless Assistance Act, which considers homeless to be any individual or family who is fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individual's or family's current housing situation, including where the health and safety of children are jeopardized, and who have no other residence and lack the resources or support networks to obtain other permanent housing. As a result, the list of eligible persons defined as having an SBE now include:
- A special disabled or disabled veteran, as those terms are defined in 38 U.S.C. § 4211(1) and (3); special disabled and disabled veterans are those:
    - i. who are 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; or,
    - ii. were discharged or released from active duty because of a service-connected disability;
  - A homeless person, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a) and (b)), as amended;
  - 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;
  - An offender, as defined by WIOA Section 3 (38), who is currently incarcerated or who has been released from incarceration;

- A veteran lacking a high school diploma or equivalent certificate; or
  - A low-income individual (as defined by WIOA Section 3 (36)).
5. **Action Requested.** The Department requests that State Administrators and AJC directors immediately transmit this Change 2 TEGL to appropriate staff. Staff should ensure that intake procedures and referrals to DVOPs incorporate the modifications to the SBE definition outlined in this Change 2 TEGL immediately.
6. **Inquiries.** Please address questions to the appropriate ETA Regional office.