

<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> Veterans
	<b>CORRESPONDENCE SYMBOL</b> OWI
	<b>DATE</b> February 7, 2019

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 20-13, CHANGE 2**

**TO:** STATE WORKFORCE AGENCIES  
STATE WORKFORCE ADMINISTRATORS  
STATE WORKFORCE LIASIONS  
STATE AND LOCAL WORKFORCE DEVELOPMENT BOARDS  
STATE LABOR COMMISSIONERS  
AMERICAN JOB CENTERS  
EMPLOYMENT AND TRAINING ADMINISTRATION GRANTEEES

**FROM:** MOLLY E. CONWAY /s/  
Acting Assistant Secretary  
Employment and Training Administration

J.S. SHELLENBERGER /s/  
Deputy Assistant Secretary  
Veterans' Employment and Training Service

**SUBJECT:** Designation of Additional Population of Veterans and Other Populations Eligible for Services from the Disabled Veterans' Outreach Program Specialists

1. **Purpose.** This Training and Employment Guidance Letter (TEGL) identifies populations eligible to receive services provided by Disabled Veterans' Outreach Program (DVOP) specialists using a case management approach in addition to the populations listed in TEGL 19-13 (issued April 10, 2014).

2. **Action Requested.** This guidance is effective immediately. The following actions are requested:

- State Administrators and American Job Center (AJC) directors are requested to transmit this TEGL to appropriate staff immediately.
- States and AJCs should ensure standard operating procedures are updated to align AJC staff and processes with the requirements outlined in this guidance.
- States must ensure that they have appointed a sufficient number of DVOP specialists to provide effective services, including the veterans identified in this TEGL.
- States should consult with the appropriate Employment and Training Administration (ETA) or Veterans' Employment and Training Service (VETS) regional office if technical assistance is needed.

<b>RESCISSIONS</b> TEGL 20-13, Change 1	<b>EXPIRATION DATE</b> Continuing
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- The existing Participant Individual Record Layout (PIRL) will be used to record the services provided to all eligible participants receiving direct services and subsequent outcomes quarterly.
- The VETS Director for Veterans' Employment and Training should coordinate with relevant AJC program staff in their state to:
  - Contact each Military Treatment Facility (MTF) and Warrior Transition Unit (WTU) in the state to offer the services of a DVOP specialist for any service member or spouse or family caregiver in need of employment-related assistance;
  - Determine the appropriate DVOP schedule to meet the need at each facility.
    - An MTF and WTU in your area can be found by zip code here: <http://tricare.mil/mtf/>. Note: Certain medical facilities of the U.S. Department of Veteran Affairs (VA) are also listed and may be providing medical assistance.

### **3. Summary and Background.**

- a. Summary – This document describes additional populations eligible to receive services provided by DVOP specialists. TEGL 19-13 and Veterans' Program Letter (VPL) 03-14 stated that under 38 U.S.C. 4103A(a)(1)(C), the Secretary of Labor (Secretary) may identify additional groups of veterans who are entitled to receive intensive services from DVOP staff. Vietnam-era Veterans are added to the list of populations already identified as being eligible to receive services from DVOP specialists. Previous guidance, specifically TEGL 20-13, identified veterans ages 18 to 24 as a priority category.
- b. Background – Title 38 U.S.C. 4103A mandates specific roles and responsibilities for DVOP specialist staff. ETA and VETS issued policy guidance, TEGL 19-13 and VPL 03-14, respectively, on the distinct roles of the DVOP specialist in 2014. That guidance limits the populations of veterans and eligible persons who may be served by a DVOP specialist and defined those categories of veterans and eligible spouses who are being prioritized because they have Significant Barriers to Employment (SBE). Further, TEGL 19-13 and VPL 03-14 stated that, under 38 U.S.C. 4103A(a)(1)(C), the Secretary may identify additional groups of veterans who are entitled to receive intensive services (now referred to as Individualized Career Services) from a DVOP specialist. Also, the Consolidated Appropriations Act of 2014 and every Appropriations Act since then authorize the Jobs for Veterans State Grants (JVSG) program to provide support services to additional SBE populations.

### **4. Additional Populations.** The populations described in this section are now eligible to be served by DVOP specialists, in addition to those populations described in TEGL 19-13. AJC programs' staff should develop procedures to refer the populations below to DVOP specialists:

#### a) Veterans aged 18–24

Veterans aged 18–24 possess limited civilian work history which can make transitioning

to the civilian labor force difficult. Based on this fact, veterans between the ages of 18 and 24 may benefit from individualized career services provided by a DVOP specialist.

b) Vietnam-era Veterans

Pursuant to 38 U.S.C. 4211, the term “Veteran of the Vietnam era” is an eligible veteran any part of whose active military, naval, or air service was during the Vietnam era.<sup>1</sup> The Bureau of Labor Statistics and the VA data indicate that there are still a sizeable number of Vietnam-era Veterans in the workforce, and many face difficulty in finding and maintaining employment. In 2017, there were 1,689,000 Vietnam-era Veterans in the workforce with 64,000 unemployed and actively seeking employment.

c) Eligible Transitioning Service Members, Spouses, and Caregivers

In annual appropriation bills since the Consolidated Appropriations Act of 2014, Congress authorized JVSG grants to support services as described in VPL 07-14 to:<sup>2</sup>

- Transitioning members of the Armed Forces who have been identified as in need of intensive services (now referred to as individualized career services);
- Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in MTFs or WTUs; and
- The spouses or other family caregivers<sup>3</sup> of such wounded, ill, or injured members.

5. **Inquiries.** Inquiries should be directed to the appropriate ETA or VETS regional office.

6. **References.**

- 38 U.S.C. Chapter 41, Job Counseling, Training, And Placement Service For Veterans (38 U.S.C. 4100–4115), as amended, specifically:
  - 38 U.S.C. 4103A, Disabled veterans’ outreach program; and,
  - 38 U.S.C. 4104, Local veterans’ employment representatives;
- 38 U.S.C. Chapter 42, Employment And Training Of Veterans (38 U.S.C. 4211–4215), as amended, specifically:

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<sup>1</sup> 38 U.S.C. 101(29) defines “Vietnam-era” to mean the period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period, and the period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.

<sup>2</sup> Authorization to serve these specific populations is contingent upon the appropriations act continuing to provide authorization.

<sup>3</sup> The term “family caregiver” is defined as follows at 38 U.S.C. 1720G (d)

(1) The term “caregiver,” with respect to an eligible veteran...means an individual who provides personal care services to the veteran.

(2) The term “family caregiver,” with respect to an eligible veteran...means a family member who is a caregiver of the veterans.

(3) The term “family member,” with respect to an eligible veteran...means an individual who-

(A) is a member of the family of the veteran, including-

(i) a parent;

(ii) a spouse;

(iii) a child;

(iv) a step-family member; and

(v) an extended family member; or

(B) lives with, but is not a member of the family of the veteran.

- 38 U.S.C. 4215, Priority of service for veterans in Department of Labor job training programs;
- The Workforce Innovation and Opportunity Act (WIOA) (Public Law (Pub. L. 113-128)) Title I and III, enacted July 22, 2014; WIOA Regulations at 20 CFR parts 651, 652, 680, and 682;
- 20 CFR Part 1001, Services for Veterans;
- 20 CFR Part 1010, Application of Priority of Service for Covered Persons;
- Consolidated Appropriations Act, 2014, Public Law (P.L) 113-76; Division H, Title I;
- Consolidations Appropriations Act, 2018;
- 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*, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2816](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816);
- TEGL 19-13, *Jobs for Veterans' State Grants Program Reforms and Roles and Responsibilities of American Job Center Staff Serving Veterans*, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7239](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7239);
- 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)*, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=9393](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9393);
- TEGL 19-13, Change 2, *Expansion and Clarification of Homeless Definition as a Significant Barrier to Employment (SBE)*, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=3305](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3305);
- TEGL 20-13, Change 1, *Designation of Additional Populations of Veterans Eligible for Services from the Disabled Veterans' Outreach Program Specialist – Veterans Ages 18-24*, [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7160](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7160);
- VPL 05-05, *Direct and Indirect Charges*;
- VPL 01-10, *Jobs for Veterans State Grants Recurring Report Requirements*;
- VPL 03-10, *Modification Process for Adjustment to Jobs for Veterans State Grants*;
- VPL 07-14, *American Job Center (AJC) Participation in Capstone Activities and Other Outreach to Transitioning Service Members*, <https://www.dol.gov/vets/VMS/VPLs/VPL-07-14.pdf>; and
- Training and Employment Notice (TEN) 15-10, *Protocol for 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*, [http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2954](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2954).

7. **Attachments.** None.