

U.S. Department of Labor Veterans' Employment and Training Service
Washington, D.C. 20210



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VETERANS' PROGRAM LETTER NO. 03-19

TO: ALL VETERANS' EMPLOYMENT AND TRAINING SERVICE STAFF
ALL STATE WORKFORCE AGENCY ADMINISTRATORS
ALL REGIONAL ADMINISTRATORS FOR EMPLOYMENT AND
TRAINING ADMINISTRATION

FROM: J.S. SHELLENBERGER
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SUBJECT: Designation of Additional Populations Eligible for Services from Disabled
Veterans' Outreach Program Specialists

I. Purpose

This Veterans' Program Letter (VPL) 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 VPL 03-14 (issued April 10, 2014).

II. References

- a) 38 U.S.C. Chapter 41, Job Counseling, Training, And Placement Service For Veterans (38 U.S.C. 4100–4115), as amended, specifically:
 - i. 38 U.S.C. 4103A, Disabled veterans' outreach program; and,
 - ii. 38 U.S.C. 4104, Local veterans' employment representatives
- b) 38 U.S.C. Chapter 42, Employment And Training Of Veterans (38 U.S.C. 4211–4215), as amended, specifically:
 - i. 38 U.S.C. 4215, Priority of service for veterans in Department of Labor job training programs
- c) 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

- d) 20 CFR Part 1001, Services for Veterans
- e) 20 CFR Part 1010, Application of Priority of Service for Covered Persons
- f) Consolidated Appropriations Act, 2014, Public Law (P.L) 113-76; Division H, Title I
- g) Consolidations Appropriations Act, 2018
- h) VPL 05-05, *Direct and Indirect Charges*
- i) VPL 07-09, *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*, http://www.dol.gov/vets/VPLS/VPLs/VPL_07-09/VPL_07-09_& Attachments A-D%20.pdf
- j) VPL 01-10, *Jobs for Veterans State Grants Recurring Report Requirements*
- k) VPL 03-10, *Modification Process for Adjustment to Jobs for Veterans State Grants*
- l) VPL 03-14, *Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans*, <https://www.dol.gov/vets/VMS/VPLs/VPL-03-14.pdf>
- m) VPL 03-14 Change 1, *Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program*, <https://www.dol.gov/vets/VMS/VPLs/VPL-03-14-Change-1.pdf>
- n) VPL 03-14 Change 2, *Expansion and Clarification of the Homeless Definition as a Significant Barrier to Employment*, <https://www.dol.gov/vets/VMS/VPLs/VPL-03-14-Change-2.pdf>
- o) 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>
- p) Training and Employment Guidance Letter (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*, (<http://wdr.doleta.gov/directives/attach/TEGL/TEGL10-09.pdf>)
- q) 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/attach/TEGL/TEGL_19_13.pdf
- r) 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
- s) 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
- t) 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

III. Rescission

- a) VPL 08-14, *Designation of Additional populations Eligible for Services from the Disabled Veterans' Outreach Program (DVOP) Specialist*
- b) VPL 04-14, *Designation of Additional Population of Veterans Eligible for Services from the Disabled Veterans' Outreach Program Specialist Veterans Ages 18-24*

- c) TEGL 20-13, Change 1, *Designation of Additional Population of Veterans Eligible for Services from the Disabled Veterans' Outreach Program Specialist – Veterans Ages 18 to 24*

IV. Background

This document describes additional populations eligible to receive services provided by DVOP specialists. VPL 03-14 and TEGL 19-13 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 VPL 04-14, identified veterans ages 18 to 24 as a priority category.

Title 38 U.S.C. 4103A mandates specific roles and responsibilities for DVOP specialist staff. The Veterans' Employment and Training Service (VETS) and the Employment and Training Administration (ETA) issued policy guidance, VPL 03-14 and TEGL 19-13, respectively, on the distinct roles of the DVOP specialist in 2014. That guidance limits the populations of veterans and eligible persons that 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, VPL 03-14 and TEGL 19-13 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.

V. Additional Populations

The populations described in this section are eligible to be served by DVOP specialists, in addition to those populations described in VPL 03-14. American Job Center (AJC) programs' staff should develop procedures to refer the populations below to DVOP specialists:

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.

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.¹ The Bureau of Labor Statistics and Department of Veterans Affairs (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.

¹ 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.

In 2017, there were 1,689,000 Vietnam-era Veterans in the workforce with 64,000 unemployed and actively seeking employment.

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:²

- a. Transitioning members of the Armed Forces who have been identified as in need of intensive services (now referred to as Individualized Career Services);
- b. Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities (MTF) or warrior transition units (WTU); and
- c. The spouses or other family caregivers³ of such wounded, ill, or injured members.

VI. Actions Required

This guidance is effective immediately. The following actions are required:

- a. State Administrators and AJC directors are requested to transmit this VPL to appropriate staff immediately.
- b. States and AJCs should ensure standard operating procedures are updated to align AJC staff and processes with the requirements outlined in this guidance.
- c. States must ensure that they have appointed a sufficient number of DVOP specialists to provide effective services to their client population, including the veterans identified in this VPL.
- d. States should consult with the appropriate VETS or ETA regional office if technical assistance is needed.
- e. 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.
- f. The VETS Director for Veterans' Employment and Training (DVET) should coordinate with relevant AJC program staff in their state to:
 - i. Contact each MTF and 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;

² Authorization to serve these specific populations is contingent upon the appropriations acts continuing to provide authorization.

³ 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.

- ii. Determine the appropriate DVOP schedule to meet the need for their services 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 VA are also listed and may be providing medical assistance.

VII. Inquiries

All inquiries should be directed to the appropriate VETS or ETA regional office.

VIII. Expiration Date

VETS will review this document for relevance on or before July 2021. It shall remain in effect until rescinded or superseded.