

Mass Workforce Issuance

Workforce Issuance No. 14-72

☒ **Policy** ☐ **Information**

To: Chief Elected Officials
Workforce Investment Board Chairs
Workforce Investment Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: August 25, 2014

Subject: **Veteran Status Determination: Use of the DD214 and Other Documentation, Revised**

Purpose: This policy replaces Mass Workforce Issuance No. 10-11, **Veteran Status Determination: Use of the DD214 and Other Documentation, Revised** (2/26/10) in order to provide updated guidance to Local Workforce Investment Boards (LWIBs), One-Stop Career Center Operators and other local workforce investment partners regarding the requirement for retention of a hard copy of a Veterans DD214 Report of Separation forms to verify an individual's status as a Veteran of the United States military forces or other allowable source documentation for participation in WIA Title I intensive and training services and in the Jobs for Veteran State Grant (JVSG).

Revision: This revision adds the requirement that for all Veterans who are in receipt of WIA Title I intensive or training services the DD214 or other allowable source documentation will be retained in the customer's case file. This revision does not change the requirements under the Jobs for Veterans Act.

Background: [The Jobs for Veterans Act](#) (Public Law 107-288) amended Title 38 of the U.S. Code with regard to the provision of employment related services to Veterans and other eligible persons. The Act requires *priority of service* for qualified Veterans and military spouses in the provision of all USDOL funded services. Title 38 defines "eligible Veteran" as a person who:

- (A) served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge;
- (B) was discharged or released from active duty because of a service-connected disability; or
- (C) as a member of a reserve component under an order to active duty pursuant to section 12301(a), (d), or (g), 12302, or 12304 of Title 10, served on active duty during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with other than a dishonorable discharge.”

The Jobs for Veterans Act (PL 107-288) defines other “eligible person” as:

- (A) the spouse of any Veteran who died as a result of a service-connected disability;
- (B) the spouse of any member of the Armed Forces serving on active duty who, at the time of application for U.S. Department of Labor employment and training services, has, for a period longer than 90 days either been declared missing in action, has been captured by a hostile force while in the line of duty, or has been forcibly detained/interned while on active duty by a foreign government or power; or
- (C) the spouse of any person who has a permanent total disability resulting from a service-connected disability; or
- (D) the spouse of a Veteran who died while a disability so evaluated was in existence.

The Jobs for Veterans Act specifies that National Guard and Reserve personnel who served in active duty and who were released with other than a dishonorable discharge would qualify as Veterans for purposes of the priority of service requirement.

The Jobs for Veterans Act defines a military spouse as an individual who is married to an active duty service member including National Guard or reserve personnel on active duty, or the surviving spouse of an active duty service member who lost his/her life while on active duty service in Afghanistan, Iraq or other combat-related areas.

A key document used by One-Stop Career Center staff to determine an individual's status as a U.S. Veteran is the U.S. Department of Defense, DD214 Report of Separation form. The DD214 includes the person's official dates of military service and discharge status.

[TEGL 28-11](#) requires that One-Stop Career Center staff maintain a filed photocopy of an individual's DD214 in order to meet federal eligibility documentation criteria **only** for participation within WIA **intensive and training** services. However, neither the Act nor the regulations require that a photocopy of the DD214 to be maintained in a customer's file under the Jobs for Veterans State Grant. Therefore, it is only required that the DD214 *has been viewed, documented and Veteran status verified* by an appropriate staff person in order to be *eligible* for JVSG services.

This issuance also provides guidance with respect to the acceptable forms of documentation in determining a customer's status as an “other eligible person” under the Jobs for Veterans State Grant.

Policy:

Documenting a Customer's Status as a U.S. Veteran

When a customer informs a One-Stop Career Center staff person that he/she is a Veteran or is eligible for "Veterans' services" under the "other eligible person" designation, the staff person *must request* presentation of the DD214 Report of Separation form. *A customer's status as a Veteran cannot be considered authorized until the relevant DD214 is presented.*

To document that an individual's DD214 has been viewed and that the information contained on the form appropriately meets the required eligibility criteria for the receipt of Veterans' services, One-Stop Career Center staff *must* utilize the specified data collection point included in the Massachusetts One-Stop Career Center Employment Service (MOSES) database **and retain a hardcopy** of the DD214 for all Veteran participants receiving WIA **intensive and training services**. Veterans not receiving services under WIA **do not need** to maintain a hard copy of the DD214 in the case file. The MOSES entry *must* be made in either case. This is accomplished by clicking on the Military Tab of the Full Registration screen. The box labeled "DD214" *must* then be checked off and the DD214 information listed below *must be* entered into MOSES to constitute a valid determination of an individual's status as a United States military Veteran:

- The Veteran's Entrance and Exit date from active military service;
- Type of Discharge/Release;
- Service Branch;
- Campaign Badge;
- Date the staff person viewed the DD214; and
- Name of the staff person who viewed the DD214.

The entry of the described information into MOSES under the Military Tab and the retention of the hard copy of the DD214 for those receiving WIA intensive and training services will constitute the *accepted form of documentation* on which quality assurance reviews will be conducted with regard to the use of a DD214 and by which federal data validation criteria for viewing a DD214 will be measured. Once recorded under the Military Tab the above information *is not required* to be duplicated in MOSES "Case Notes".

Veterans or next-of-kin of deceased Veterans can request a copy of the DD214 using the online order form at vetrecs.archives.gov. Other individuals (as well as Veterans or next-of-kin of deceased Veterans) may request a copy of a DD214 for a Veteran by completing Standard Form 180 (SF 180). A copy of SF 180 may be obtained online or requested by writing to:

National Personnel Records Center
9700 Page Avenue
St. Louis, Missouri 63132

Documenting a Customer's Status as an Other Eligible Person

A spouse of a Veteran seeking consideration as an "Other Eligible Person" under Sections A, C or D of the definition for "other eligible person" (above) must present a copy of a *Dependency & Indemnity Compensation* (DIC) letter issued by the Veterans' Administration (VA) as documentation that the person's spouse was a Veteran who had either a partial or permanent service connected disability. If

the original letter is lost or misplaced, a copy may be obtained from the VA. A person seeking consideration under Section B of the definition for “other eligible person” must present a copy of a *letter or notice from the U.S. Department of Defense (DOD) verifying that the individual’s spouse has been missing in action (MIA), has been captured or has been forcibly detained by a foreign government or power for at least 90 days at the time the individual is applying for services.*

For “other eligible persons”, One-Stop Career Center Staff must specifically document in MOSES NOTES that either a Dependency & Indemnity Compensation letter or a Department of Defense notification (depending on the basis of the person’s consideration as an “other eligible person”) of the spouse’s status as missing in action, capture or forcible detainment was viewed. In either case, the staff person must indicate which form of letter or notice was viewed, the issuing organization (VA or DOD), the date of the letter or notice, the section of the Other Eligible Person definition under which the individual qualifies (A, B, C or D), and the name of the staff person who viewed the document. Along with the DD214, it is required that a “hard copy” be maintained of either the VA or DOD letter/notice for those participating in WIA intensive and training services, but not for service under the JVSG or Wagner-Peyser.

Action

Required: One-Stop Career Center Operators and Management staff must assure that all appropriate staff are informed about, and knowledgeable of the policy and related procedural requirements described in this issuance.

Effective: Immediately

References: Title 38 USC §101 Veterans for Veterans Act, Nov. 7, 2002 [P.L. 107-288]

Inquiries: Please email any questions to Beth Costa, bcosta2@detma.org.