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QUEST BULLETIN NO. 02-23

TO: QUEST Partners

FROM: Maricar Pilotin-Freitas, Administrator
Workforce Development Division

SUBJECT: QUEST Target Groups and Participant Eligibility

PURPOSE

The purpose of this Bulletin is to identify target groups and define participant eligibility in the Quality Jobs, Equity, Strategy, and Training (QUEST) Disaster Recovery National Dislocated Worker Grant (DWG).

BACKGROUND

As stated in Training and Employment Guidance Letter (TEGL) No. 2-22, the goal of the QUEST DWG (hereafter also referred to as "QUEST") is to assist individuals who have been adversely affected by the COVID-19 pandemic and the social and economic inequities that it exacerbated, to enter, return to, or advance in high-quality jobs that are safe, sustainable, stable, equitable, and support worker voice in the workplace.

In addition, QUEST projects should help dislocated workers and other eligible participants, including underserved and historically marginalized individuals, develop economic resilience to future economic shocks through employment, training, and entry into high-quality jobs, especially in growing and critical industries.

The TEGL set forth criteria for QUEST participant eligibility and gave the State, as the QUEST grantee, the responsibility to further define certain specified criteria. The criteria for QUEST participant eligibility in Hawaii are contained in the policy below.

POLICY

Hawaii's QUEST grant targets the historically underserved or marginalized groups listed below with the addition of State definitions for some groups.

- ❖ Low-income (following Workforce Innovation and Opportunity Act (WIOA) low-income definition);
- ❖ Long-term unemployed (see definition in this Bulletin);
- ❖ Native Hawaiians;
- ❖ Pacific Islanders;
- ❖ Senior citizens (55 years and older);
- ❖ Minority ethnic groups;
- ❖ Veterans;
- ❖ Persons with a disability;
- ❖ Women; and
- ❖ Individuals possessing low basic skills (as defined by WIOA or those lacking the minimum qualifications for entry level jobs).

While these groups are targeted for outreach and QUEST services, only those individuals who meet the QUEST eligibility criteria below may be served. Individuals not from these target groups also may be served provided they, too, met the QUEST eligibility criteria.

QUEST Eligibility

These criteria reflect the deep toll that COVID-19 has taken on Hawaii's entire economy, which has continued to be heavily reliant on the hospitality industry and vulnerable to any downturns in discretionary consumer spending, such as that caused by COVID-19. Tourism still has not returned to pre-pandemic levels and this has affected almost all sectors of Hawaii's economy.

To qualify for services under the QUEST grant, an individual shall meet at least one of the following eligibility criteria:

- A. Temporarily or permanently laid off as a consequence of the COVID-19 pandemic disaster.

U.S. Department of Labor Employment Training Administration (ETA) has determined that "laid off" in this context is different from "dislocated." For purposes of the QUEST grant, the State has latitude to determine which individuals who were working prior to COVID but who became unemployed because of COVID are eligible to participate in grant activities.

The State considers an individual who falls within any of the following criteria to meet the criterion of being “laid off as a consequence of the declared disaster”:

1. Fired or quit in order to stay home and care for a family member anytime during the period beginning March 1, 2020, and who remains unemployed; or
2. Fired or quit to avoid exposure to what the individual considered unsafe working conditions, including but not limited to, exposure to COVID-19 infection, whether to protect oneself or family or household members anytime during the period beginning March 1, 2020, and who remains unemployed.

B. Long-term unemployed individuals, as defined by the State.

The term “long-term unemployed individuals” for purposes of the QUEST is not tied to the Bureau of Labor Statistics definition (unemployed for 26 weeks or more).

In Hawaii, long-term unemployed is defined as an individual who meets any of the criteria below:

1. Has no paid work history specifically in the area of the person’s education, training, or certification in the last 26 weeks;
2. Has been incarcerated for any period (includes those currently working and/or who have had work experience prior to or after incarceration);
3. Retired or separated from military service with other than dishonorable discharge within the last 36 months (whether currently working or not);
4. Unemployed for four (4) weeks or longer at the time of eligibility determination;
or
5. Work hours have averaged fewer than 30 hours per week for the last four weeks.

C. Dislocated workers as defined by WIOA Section 3(15).

D. Self-employed individuals who became unemployed or significantly underemployed due to the COVID-19 pandemic disaster.

The State is responsible to define and interpret the “significantly underemployed” eligibility criterion.

The State defines self-employed individuals who became “significantly underemployed” as those who meet any of the following criteria:

1. Self-employment income was reduced by 25% or more in the last six months compared to the period before March 1, 2020; or

2. Self-employment income for the last six months was at or below 225% of the Lower Living Income Standard Level regardless of the self-employment income pre-COVID.

If an individual is both self-employed and employed elsewhere, the individual would be required to qualify under both the self-employment eligibility criteria, *and* the long-term unemployed (Item B above) or the Dislocated Worker criteria (Item C above).

E. Note about Subsidized Work-Experience

If an individual participated in or is currently participating in partially or fully subsidized employment where the goal is to provide temporary work experience and training, such as, but not limited to, Senior Community Service Employment Program (SCSEP) or State Internship Program, the income or employment in the subsidized employment should not be counted for the purpose of determining QUEST eligibility. The common goal among these programs is to prepare the individuals for employment in higher-wage, higher quality jobs that can sustain them and their families. Consequently, the individual's participation in these temporary subsidized jobs should not be a barrier to their participation in QUEST but rather, these programs should be coordinated for maximum benefits to the participant.

For example, if the individual has been employed in a SCSEP or State Internship Program temporary work experience during the last four (4) weeks, and has not had other paid employment during that 4 week period, that individual would be considered to be unemployed and meet the definition of long-term unemployed under Item B.4 above.

Case managers for programs in which a participant is co-enrolled, such as SCSEP and QUEST, should provide joint case management for the individual.

Determining Participant Eligibility

To streamline the intake and identification of eligible persons, a signed self-attestation would suffice for most eligibility criteria above. The exceptions are those where the supporting documents are usually more easily accessed. They consist of the acceptable documents listed in TEGl No. 23-19, Change 1, and any future TEGl changes. The documents include, but are not limited to, the following:

- DD 214 or other document supporting separation from military service for Item B.3;
- UI statement of eligibility for each of 4 weeks unemployed, Item B.4;
- Pay stubs, payroll document, tax record, or other document showing hours of work per week for 4 weeks, Item B.5;
- Lay-off notice for Dislocated Workers, Item C;
- UI referral for RESEA or other UI eligibility document for Dislocated Worker, Item C, except self-attestation for instances when the individual has exhausted all UI benefits for which he/she has been determined eligible, including extended supplemental benefits; and self-employment income statements or tax statements for Item D.

Attachment A, QUEST Eligibility Checklist, should be completed to identify the eligibility criteria being met for each participant and the supporting documentation received.

Deadlines for Receiving Supporting Documentation

Supporting documentation listed above in the section, Determining Participant Eligibility, must be collected within two (2) months of enrollment but not necessarily prior to receiving program services. The end of the two (2) months would be the second month anniversary of the enrollment date.

For example, if the enrollment date is February 15, 2023, documents must be collected by April 15, 2023.

Every individual served in QUEST must have documentation to support eligibility prior to or upon enrollment. In many cases, that documentation will be a signed self-attestation. In other cases, it would be self-attestation followed by the supporting documentation listed above.

The participant should be reminded of the deadline for submitting supporting documentation at least twice before the deadline. Attempts to collect the documents, including reminders, should be documented in case notes with dates of when collection attempts were made, and by what means, e.g., email, phone message, in person, or regular mail. If the participant does not provide the documentation needed within the two (2) months deadline, the case manager must summarize number of attempts made to collect the documentation and enter a case note of reasons why the documentation was not collected. Please note that the case notes should demonstrate that reasonable attempts were made to collect the documents. This is in alignment with TEGE No. 16-21, Updated National Dislocated Worker Grant Program Guidance, Attachment 1, that allows self-attestation because failure to collect documentation may be related to barriers such as homelessness or former employer being out of business.

If a subrecipient anticipates difficulty in collecting eligibility documents (other than self-attestation which is the minimum requirement), the subrecipient is encouraged to discuss the conditions of the difficulty as soon as possible so that individuals who would otherwise be eligible for and benefit from QUEST services are not prohibited from receiving timely services.

Ineligible Participants

If the supporting documentation received after enrollment indicates that the individual did not meet the eligibility criteria, then the individual must be quickly terminated from QUEST but the subrecipient or provider is not liable for disallowed costs prior to the receipt of that document. The condition is that the subrecipient or provider must demonstrate it has followed the policy and timelines provided in this Bulletin for collection of supporting documents and has made the necessary efforts to collect the documents. This includes informing participants at the time of enrollment of the conditions for enrollment, including the need for supporting documents. Another condition is the provider must have given at least two (2) reminders during the two-month period after enrollment.

If the documents submitted indicate the participant is ineligible, the participant must be terminated from QUEST as soon as possible but no later than 10 working days from the date of discovery. Referrals to other programs should be made as appropriate.

Participant's Attestation and Acknowledgment

The attached QUEST Eligibility Checklist, Attachment A, should be completed by staff and the participant. For participants who qualify under the Dislocated Worker definition, Item C, staff also should refer to the definition of Dislocated Worker in Attachment B, and use TEGL No. 23-19, Change 1, and any subsequent changes, for documents that are acceptable for data validation of Dislocated Worker status.

The participant should read and attest to the accuracy of the information provided in the checklist and acknowledge the requirement and timeframe for submitting applicable supporting documentation and consequence of termination if supporting documents do not support eligibility.

Projected Benefit to Prospective Participants

Before enrolling an individual in QUEST, staff should determine, with the individual, whether participation in QUEST is likely to benefit the individual to enter, return to, or advance in high-quality jobs, especially in growing and critical industries. This would be based on a preliminary assessment of the individual's vocational goals, skills, and experience in relation to the job market. Only those individuals who meet the QUEST eligibility criteria and likely to benefit from QUEST may be enrolled.

Staff Training

Managers shall ensure their staff are trained to determine QUEST participant eligibility and carry out the policy of this Bulletin.

INQUIRIES

Inquiries regarding this bulletin may be directed to Ms. Carol Kanayama by email at Carol.H.Kanayama@hawaii.gov

REFERENCES

- TEGL No. 2-22, QUEST Disaster Recovery National DWG
- TEGL No. 16-21, Updated National Dislocated Worker Grant Program Guidance
- TEGL No. 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under the WIOA and the Wagner-Peyser Act Employment Service, as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules

Attachment A Quest Eligibility Checklist

Attachment B Dislocated Worker Definition

**QUEST Eligibility Checklist
(Circle or Highlight at Least One)**

Participant Name: _____

A. Laid off as a consequence of the declared disaster

1. Fired or quit in order to stay home and care for a family member anytime during the period beginning March 1, 2020, and remains unemployed; or
2. Fired or quit to avoid exposure to what the individual considered unsafe working conditions, including but not limited to, exposure to COVID-19 infection, whether to protect oneself or family or household members anytime during the period beginning March 1, 2020, and who remains unemployed.

B. Long-term unemployed is defined as an individual who meets any of the criteria:

1. Has no paid work history specifically in the area of the person's education, training, or certification in the last 26 weeks;
2. Has been incarcerated for any period (includes those currently working and/or who have had work experience prior to or after incarceration);
3. Retired from or separated from military service with other than dishonorable discharge within the last 36 months (whether currently working or not);

DD 214 or other document supporting separation from military service received?

4. Unemployed for four (4) weeks or longer at the time of eligibility determination;

UI statement of eligibility for each of 4 weeks unemployed? _____ or

5. Work hours have averaged fewer than 30 hours per week for the last 4 weeks.

Pay stubs, payroll document, tax record, or other document showing hours of work per week for 4 weeks? _____ Circle which applies.

C. Dislocated workers as defined by WIOA Section 3(15).

Lay-off notice? _____ and

UI referral for RESEA or UI eligibility document for Dislocated Worker? _____ Circle which. Except for self-attestation for instances when the individual has exhausted all UI benefits for which he/she has been determined eligible, including extended supplemental benefits? _____

D. Self-employed individuals who became “significantly underemployed”:

1. Self-employment income was reduced by 25% or more in the last six months compared to the period before March 1, 2020; or
2. Self-employment income for the last six months was at or below 225% of the Lower Living Income Standard Level regardless of the self-employment income pre-COVID.

Self-employment income statements or tax statements? _____

NOTE: If an individual is both self-employed and employed elsewhere, the individual would be required to qualify under both the self-employment eligibility criteria, and the long-term unemployed.

CERTIFICATION AND ACKNOWLEDGEMENT

I hereby certify that the above information is true and accurate to the best of my knowledge. I am aware that the information I have provided is subject to review and verification and that I will have to provide documents if indicated above to support this application. I am also aware that if I do not provide the required supporting documentation within two (2) months, my services in QUEST will be suspended until the supporting documentation is submitted and that I am subject to immediate termination if I am found ineligible after enrollment.

I allow release of this information for verification purposes and understand that it will be used to determine my eligibility. I also understand that receipt of services is also subject to availability of funds.

Print or Type Participant Name: _____

Signed: _____

Date: _____

Staff Name: _____

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DISLOCATED WORKER DEFINITION

WIOA Section 3(15) – means an individual who—

- (A) (i) has been terminated or laid off, or who has received a notice of termination or layoff, from employment, including separation notice from active military service (under other than dishonorable conditions);

(ii) (I) is eligible for or has exhausted entitlement to unemployment compensation; or

(II) has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 121(e), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and

(iii) is unlikely to return to a previous industry or occupation;
- (B) (i) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, military installation or enterprise;

(ii) is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or

(iii) for purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility or military installation will close;
- (C) was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;
- (D) is a displaced homemaker; or
- (E) (i) is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or

(ii) is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph (16)(B).