




Workforce Investment Act Policy

To: All Delegate Agencies, One-Stops and Sector Centers

From: 
Karin Norington-Reaves
CEO, Chicago Cook Workforce Partnership

Subject: Selective Service Requirement for WIA Title 1B Eligibility

Date: September 17, 2012

Purpose:

To define the policy and procedures for Selective Service compliance for delegate agencies using WIA funds expended under the Chicago Cook Workforce Partnership Workforce Investment Act (WIA) contracts.

References:

DOL Training and Employment Guidance Letter No. 11-11, Change 2; DCEO WIA Policy Letter No. 11-PL-02

Background:

The Chicago Cook Workforce Partnership is releasing the Selective Service policy to ensure accountability and compliance that aligns with DOL and DCEO policy and other applicable rules and regulations.

Policy:

Section 189(h) of the Workforce Investment Act (WIA) requires that a determination of the Selective Service registration status of all males be made prior to enrollment in any WIA Title 1-B funded programs. Local areas shall ensure that each male applicant participating in any local program or activity in the local area, or receiving any assistance or benefit under Title 1-B, is in compliance with Sec. 3 of the Military Selective Service Act (MSSA).

Chicago Cook Workforce Partnership Selective Service Registration Policy

It is the policy of the Chicago Cook Workforce Partnership that prior to enrollment in any WIA service, the delegate agency shall ensure that all male WIA applicants 18 years of age and born on or after January 1, 1960, have registered with the Selective Service System or have properly documented an acceptable reason why registration did not occur prior to the individual's 26th birthday. In addition, all male youth, who reach their 18th birthday while participating in a WIA program, must register with

Selective Service within 30 days of their 18th birthday (i.e. 30 days before or 30 days after their birthday). The Selective Service website at www.sss.gov should be referenced to support participants through the registration and verification process.

DCEO Selective Service Verification Form #001

All males born on or after January 1, 1960 are required to complete and sign the verification form to determine their status in the Selective Service system and which applicable requirement should be applied. The signed Form #001 must be placed in the customer file and one of the four following procedures must be followed.

Selective Service Registration Exceptions

As outlined in DCEO WIA Policy Letter No. 11-PL-11, Change 2, Selective Service registration is required for all males prior to their 26th birthday unless one of the following conditions is met:

- *U.S. Citizens*
 - a) Males who are serving in the military on full-time active duty;
 - b) Males attending the service academies;
 - c) Disabled males who are continually confined to a residence, hospital, or institution; and/or
 - d) Males who are hospitalized, institutionalized, or incarcerated are not required to register during their confinement; however, must register within 30 days of being released.

- *Non-U.S. Citizens*, registration is required within 30 days of becoming a resident unless the male falls into one of the following:
 - a) Male who came into this country for the first time after his 26th birthday and can provide one of the following supporting documentation:
 - Date of entry stamp on passport;
 - I-94 stamped with date of entry; or
 - Letter from the U.S. Citizenship and Immigration Services (USCIS) indicating the date of entry to the U.S. presented in conjunction with documentation establishing the individual's age.
 - b) Male who entered the U.S illegally after his 26th birthday and can provide proof that he was not living in the U.S. from age 18 to 25.
 - c) Male on a valid non-immigrant visa.

- The delegate agency must place a copy of the documentation verifying the exception in the customer file and record compliance through the selection of the IWDS status "Locally Approved Selective Service Waiver" along with a case note detailing the determination that is titled "Selective Service."

WIA Youth Registration Requirements

- a) For youth males that have not reached age 18, and will not within the next 30 days, the Military Selective Service Act (MSSA) is not applicable. Selective Service compliance within IWDS should be marked “not applicable.”
- b) Youth males who reach their 18th birthday while participating in WIA services must register with the Selective Service within 30 days of reaching his 18th birthday (i.e. 30 days before or 30 days after their birthday.)
 - WIA Youth delegate agencies must develop effective methods for the tracking of male registrants approaching their 18th birthdays.
 - WIA Youth delegate agencies will provide male registrants, prior to reaching their 18th birthday, with information on how to access official Selective Service information on the registration requirement and process that they can share with their parents or guardians.
 - WIA Youth delegate agencies must provide registrants access to resources that will assist in their registration in the Selective Service.
 - Costs associated with the delivery of services to male WIA Youth registrants who failed to comply with the requirement to register with the Selective Service, beyond the 30th day after the 18th birthday will be disallowed.

WIA Registration Requirements for Males between 18 and 26

- a) Male WIA applicants between the ages of 18 and 26 are required to register and the delegate agency must verify whether the customer has complied with the MSSA and place documentation in the case file.
 - i. Verification must be documented in the customer file through collection of one of the documents:
 1. Selective Service Registration Acknowledgement Letter;
 2. Form DD-214, “Report of Separation;”
 3. Screen printout from the Selective Service Verification site, www.sss.gov/Reg/Ver/wfVerification.aspx;
 4. Selective Service Registration Card;
 5. Selective Service Verification Form (Form 3A); or
 6. Stamped Post Office Receipt of Registration.

- ii. Once verification has been established with the MSSA and the corresponding documentation has been obtained, no further action is necessary and an otherwise eligible male may participate in WIA services. IWDS compliance status should be recorded with a "Yes."
- b) If the male applicant has not complied with MSSA, the contractor must advise them to register with the Selective Service at www.sss.gov and provide documentation of registration.

WIA Registration Requirements for Males 26 Years and Over

Males over 26 years of age that have failed to comply with the MSSA and are no longer able to register to achieve compliance are required to request a Status Information Letter (SIL) through Selective Service.

- a) The applicant must provide documentation that he has contacted MSSA and initiated the request of the SIL by providing a copy of the SIL request form.
 - i. The request for SIL form can be found by accessing www.sss.gov/Status.html and by clicking on "Request for Status Information Letter."
 - ii. The SIL may take 4 to 6 weeks to arrive.
 - iii. A copy of the SIL request must be placed in the customer file.
- b) The delegate agency must interview the customer to determine if knowing and willful failure to register is present.
 - i. Should the failure be deemed **not** knowing and **not** willful, the customer could be granted a local Waiver in order to enroll in services while awaiting the SIL only if 4.d) below applies.
 - ii. Should the failure be deemed knowing and willful, the customer must be denied WIA services. Customers denied access to services due to Selective Service status must be advised of available WIA grievance procedures as outlined by the Chicago Cook Workforce Partnership.
- c) Delegate agencies are no longer required to wait for the status information letter (SIL) from the MSSA to determine WIA eligibility and before enrolling the participant in services. Enrollment can proceed; however, only in those instances where time is a factor for enrolling the participant in services or training and waiting the 4 to 6 weeks for the receipt of the SIL would harm the participant's progress through the program.

- i. For delegate agencies to approve eligibility and enroll the participant prior to receipt SIL, the Workforce Center Manager or Director must approve and sign the attached Waiver as designated by the Chicago Cook Workforce Partnership to ensure justification is present that indicates the participant's failure to register was non-knowing and non-willful.
- ii. The justification for granting the waiver must be documented and placed in the customer's case file along with a case note in IWDS documenting the circumstances that is titled "Selective Service."
- iii. Enter "Locally Approved Waiver" for the Selective Service status in IWDS.
- iv. Upon receipt of the SIL, the delegate agency must examine the letter to determine if the additional information gained indicates that the individual was required to and did not register and now disqualifies the individual from participation in WIA funded activities.
 1. If the failure is deemed knowing and willful, then the participant is no longer eligible for WIA services and must not receive any further services.
 2. Place a copy of the SIL in the customer file.
 3. A case note documenting receipt and final determination must be documented in IWDS.

Action Required:

This information should be disseminated to all Cook County Workforce Center staff and Delegate Agencies.

Inquiries:

Questions regarding any aspect of this policy should be directed to the Chicago Cook Workforce Partnership's Chief Executive Officer.

Effective Date:

Immediately upon approval by Workforce Investment Board.