



July 27, 2005

VETERANS' PROGRAM LETTER NO. 07-05

TO: ALL REGIONAL ADMINISTRATORS AND DIRECTORS FOR
VETERANS' EMPLOYMENT AND TRAINING
ALL STATE WORKFORCE AGENCY (SWA) ADMINISTRATORS
ALL REGIONAL ADMINISTRATORS, EMPLOYMENT AND TRAINING
ADMINISTRATION (INFO)

FROM: 
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SUBJECT: Staffing, Reporting Requirements and Roles and Responsibilities of the
Disabled Veterans' Outreach Program Specialist (DVOP) and Local
Veterans' Employment Representative (LVER) Under the Jobs for Veterans
State Grants

- I. **Purpose:** To provide guidance on DVOP and LVER staffing, reporting and roles and responsibilities.
- II. **References:** Title 38, United States Code, Sections 4102, 4102A, 4103A, and 4104 as amended by the Jobs for Veterans Act (JVA) of 2002, Public Law (P.L.) 107-288, enacted November 7, 2002; The Workforce Investment Act (WIA) of 1998, P.L. 105-220, enacted August 7, 1998, Veterans' Program Letter (VPL) 11-02 dated September 16, 2002 and VPL 09-03 dated June 9, 2003.
- III. **Supersedes:** VPL 09-03 and VPL 11-02. State Plans approved for FY 2005-2009 that reference VPL 11-02 to define the Roles and Responsibilities of the DVOP specialists and LVER staff will not require modification since the scope of policy did not change.
- IV. **Background:** The Jobs for Veterans Act was intended to remove from previous law the highly prescriptive provisions that were viewed as limiting the States' abilities to serve both veterans and employers. In particular, the law changed the detailed descriptions of DVOP and LVER positions and the method for assigning DVOP specialists and LVER staff to local

offices. The Veterans' Employment and Training Service (VETS) is charged with ensuring services are provided to maximize employment and training opportunities for veterans and eligible persons. To meet that mandate, VETS has developed guidelines to address the following:

- Staffing Guidance for DVOP specialists and LVER staff;
- Veterans' preference in the hiring of DVOP specialists and LVER staff;
- Roles and responsibilities of DVOP specialists and LVER staff; and
- Reporting requirements.

V. **Staffing Guidelines for DVOP Specialists and LVER Staff:** P.L. 107-288 allows States to determine the number of full- and/or part-time DVOP specialists and LVER staff appropriate to carry out services to veterans. VETS makes the following policy determinations in regard to part-time staffing:

- A. Part-time is construed to mean half-time;
- B. To the greatest extent possible, full-time DVOP specialists and LVER staff should be assigned at every location with sufficient resources to support the assignment of full-time staff, rather than assigning two or more half-time DVOP specialists or LVER staff;
- C. No person shall be employed both as a half-time DVOP specialist and a half-time LVER staff;
- D. When charging time to the Jobs for Veterans State Grant, only duties consistent with the appropriate roles and responsibilities for services to veterans may be charged by DVOP specialists and LVER staff (in accordance with VPL 05-05, Direct and Indirect Charges to the FY 2005-2009 Jobs for Veterans State Grants);
- E. States must identify all full- and half-time staff including veterans' coordinators who directly charge the grant for their time on all Staffing Directories and ensure those directories are updated at least quarterly or as changes occur;
- F. Time distribution records will be maintained for each half-time DVOP specialist and/or LVER staff that indicate how their time is distributed to ensure that at least 50 percent of their time is devoted to serving veterans only; and
- G. Decisions to convert current full-time DVOP specialists and/or LVER staff to half-time should be done in consultation with the State Director for Veterans' Employment and Training (DVET) to determine if a modification to the State Plan is needed.

VI. **Requirement for Veterans' Preference in the Hiring of DVOP Specialists and LVER Staff:** To the maximum extent practicable, State Workforce Agencies (SWAs) must consider the following priorities when filling DVOP specialist and LVER staff vacancies:

First: Qualified service-connected disabled veterans;

- First: Qualified service-connected disabled veterans;
- Second: Qualified eligible veterans;
- Third: Other qualified eligible persons as defined by Title 38, USC, Section 4101(5);

VII. DVOP/LVER Roles and Responsibilities: Title 38, as amended by P.L. 107-288 generally defines the responsibilities of DVOP specialists and LVER staff. In order to best serve veteran clients effectively and efficiently, VETS, through the development of roles and responsibilities for each program, provides a framework that includes required core roles of a DVOP specialist and LVER staff, and examples of responsibilities appropriate for each of the core roles. This dual structure is intended to provide States with the ability to tailor DVOP specialist and LVER staff performance responsibilities to more closely reflect their unique service delivery structure while maintaining the differences between the two programs.

A. DVOP Specialists: The following guidelines should be used in performance plans developed by the SWA.

1. DVOP specialists facilitate intensive services to veterans with special employment and training needs. Training courses are available on intensive services using the case management approach through the National Veterans' Training Institute (NVTI). In order to qualify as intensive services, DVOP specialists may include any combination of the following services, but at a minimum the first two are required.
 - Conduct an assessment (minimum requirement)
 - Develop plan of action that is documented (minimum requirement).
 - Provide career guidance
 - Coordinate supportive services
 - Make job development contacts
 - Provide referrals to training
 - Make referrals to job openings

2. DVOP specialists should target services to Special Disabled veterans, disabled veterans, economically or educationally disadvantaged veterans, and veterans with other barriers to employment especially, homeless veterans. In order to maximize services to those veterans, DVOP specialists conduct outreach activities at a variety of sites including, but not limited to:
 - Vocational Rehabilitation and Employment programs
 - Homeless Veterans Reintegration Project grantees
 - Department of Veterans Affairs medical centers and Vet Centers
 - Homeless shelters
 - Civic and service organizations
 - Community Stand Downs

- Military installations
 - WIA partners
 - State Vocational Rehabilitation Agencies
3. As an integral part of the State's Labor Exchange System, DVOP specialists provide a full range of employment and training services to veterans, with the primary focus on meeting the needs of veterans and other eligible persons who are unable to obtain employment through core services.
 4. DVOP specialists facilitate Transition Assistance Program (TAP) Employment Workshops as approved in the State Plan.
- B. LVER Staff: The following guidelines should be used in performance plans developed by the SWA.
1. As an integral part of the State's Labor Exchange System, LVER staff work with other service providers to promote veterans as job seekers who have highly marketable skills and experience.
 2. LVER staff advocate for veterans for employment and training opportunities with business, industry and community-based organizations. To accomplish this, LVER staff participate in a variety of outreach activities including, but not limited to:
 - Planning and participation in job fairs
 - Coordinating with unions, apprenticeship programs, and business organizations to promote employment and training opportunities for veterans
 - Promoting credentialing and training opportunities for veterans with training providers and licensing agencies
 3. LVER staff establish, facilitate and/or maintain regular contact with employers to include federal contractors. They should coordinate with employer relations representatives as part of the One Stop system to include veterans in their marketing efforts.
 4. LVER staff provide and facilitate a full range of employment, training and placement services to meet the needs of veterans with priority given to targeted categories identified and approved in the State Plan. These services may include, but are not limited to:
 - Conducting job search assistance workshops
 - Providing job development and referrals
 - Providing vocational guidance
 - Providing labor market information
 - Providing referrals to training and supportive services
 5. LVER staff facilitate TAP employment workshops as approved in the State Plan.

6. LVER staff coordinate with the Service Delivery Point Manager in the preparation of the Manager's Report on Services to Veterans as described in paragraph VIII below.

VIII. Manager's Report on Services to Veterans: Each quarter, the SWA is required to submit a Manager's Report(s) on Services to Veterans to the DVET. The scope of coverage for each report is determined by consultation between the State Administrator and the DVET.

- A. Scope of Coverage: Any service delivery area where Department of Labor funds are allocated to provide employment and training services to veterans, as determined by the State Administrator and DVET.
- B. Intent: To report employment and training services provided to veterans at the specified workforce development service delivery areas to designated management and to the DVET. The reports are to be used by management and the DVET for review of services to veterans and to identify any need for possible action to ensure that services are provided in accordance with applicable laws and regulations.
- C. Content: The report shall be prepared primarily in narrative form, into which the following required and other suggested information shall be incorporated:

1. Required Content:

- a. Time Period Covered: Program Year and Quarter addressed by the report.
- b. Area: Name and location or description of service delivery point or area to be addressed by the report.
- c. Report Author: Name of individual(s) who is/are primarily responsible for the preparation and/or submission of the report.
- d. Chapter 31 (Vocational Rehabilitation & Employment) Activity: Number of cases referred from Department of Veterans Affairs (VA), number of cases opened and closed, entered employment rate, average wage at placement and/or other relevant information related to Chapter 31 activity.
- e. Report Narrative: Address the following questions in narrative form, using any relevant information available to support a complete analysis of activities within the area covered by the report.
 - 1) Explanation of One-Stop processes and activities:
 - a) What One-Stop processes and activities are conducted in the area addressed?
 - b) How is veterans' priority of service observed with regard to intake, job referral, and/or other One-Stop activities? Include analysis of what

procedural and/or integration strategies have been implemented to ensure veterans are receiving priority of service?

- c) How are DVOP specialists and LVER staff integrated into the workforce centers/activities? What staff training has taken place to improve integration of DVOP and LVER services?

2) Outreach Activities:

- a) How have outreach activities been conducted? (i.e., seminars, career days, public relations contacts, media releases, etc.)
- b) How have outreach activities been targeted to the intended audiences? (i.e., employers, veterans, veteran service organizations, community-based organizations, homeless veterans, etc.)
- c) What has been the impact of these activities (a & b above)?

3) Additional Comments:

- a) What services, if any, have grant staff provided to non-veterans? Explain.
- b) Are there significant actual or anticipated staffing issues, such as staff turnover?
- c) Do the manager and/or other grant staff wish to provide any additional comments?

2. Other Suggested Content (not required):

- a. Success Stories/Best Practices: Describe any notable successes and explain how any best practices may have contributed to the successful outcome.
- b. Special Projects: Describe and assess any new or unique DVOP Specialist and LVER Staff projects, accomplishments, or other initiatives undertaken.
- c. Other LVER/DVOP Activities: Describe any other LVER/DVOP activities performed this quarter not previously addressed, i.e. career workshops, etc.

IX. Action Required: States should review this VPL to ensure their State Plans are consistent with these guidelines. DVETs will be available for consultation and to provide technical assistance on questions related to the guidance issued in this VPL.

X. Inquiries: Questions should be addressed to the appropriate DVET. DVETs should address further inquiries as needed through the appropriate Regional Administrator for Veterans' Employment and Training (RAVET). If further action is needed, questions should be addressed to Pamela Langley at (202) 693-4708 or by email at langley.pamela@dol.gov.

XI. **Attachment:** Frequently Asked Questions

XII. **Expiration Date:** Until rescinded or superseded.

Attachment

FREQUENTLY ASKED QUESTIONS

QUESTION: Does part-time mean only half-time?

ANSWER: For the purpose of the Jobs for Veterans State Grants, we define “part-time” as “half-time”. An infinite possibility of “part-time” positions is not conducive to proper accounting of personnel and level of effort. The Jobs for Veterans Act provides flexibility to States by allowing them to choose which Service Delivery Points (SDPs) are staffed with DVOP specialists and/or LVER staff. States can elect to use half-time staff in SDPs where there is a need to serve veterans, but not enough workload to justify a full-time position or when the funding formula limits their ability to staff all SDPs.

QUESTION: Can a single Service Delivery Point (SDP) have two or more half-time staff instead of one or more full-time staff?

ANSWER: The Special Grant Provisions and subsequent guidance makes clear that, to the greatest extent possible, full-time DVOP specialists and LVER staff should be assigned at every location with sufficient resources to support the assignment of full-time staff, rather than assigning two or more half-time DVOP specialists or LVER staff. The main justification for using half-time DVOP specialists and/or LVER staff is to provide services in multiple or remote locations in States with limited funding and/or in SDPs without enough workload to justify a full-time position. In most cases, one or more full-time employees dedicated to serving only veterans and other eligibles is more effective than multiple half-time employees dividing their time between different programs serving diverse customers. Exceptions to this policy should be justified by explaining how services to veterans will be improved. Additional outcomes expected or realized should be noted.

QUESTION: May a person be employed as both a half-time DVOP specialist and a half-time LVER staff?

ANSWER: It is VETS policy that an individual shall not be concurrently employed in both part-time DVOP and part-time LVER capacities. The intent of Congress is to have two separate programs that provide different services.

QUESTION: Must DVOP specialists and LVER staff be veterans?

ANSWER: Every effort shall be taken by State Workforce Agencies to hire qualified veterans for both DVOP and LVER positions in the following order of priority: 1) Qualified service-connected disabled veterans; 2) Qualified eligible veterans; 3) Qualified eligible persons, as defined in Title 38 United States Code (USC), § 4101(5). Non-veterans may be appointed to DVOP and/or LVER positions only after all means of recruiting qualified service-connected disabled and other veterans have been exhausted.

Per Title 38, U.S.C. § 4102A, (c), (4), (B), the State must, “on an annual basis, notify the Secretary of and provide supporting rationale for, each non-veteran who is employed as a disabled veterans’ outreach program specialist and local veterans’ employment representative for a period in excess of 6

months”. This notification is made to the appropriate Director for Veterans’ Employment and Training Service (DVET) and may be made in the Technical Performance Narrative with a Quarterly Report or under separate cover.

QUESTION: Can DVOP specialists and/or LVER staff be used to serve non-veterans?

ANSWER: DVOP Specialists are assigned, subject to the approval of the Secretary, as the state determines necessary and efficient to carry out intensive services under Chapter 41, Title 38 US Code, to meet the employment needs of eligible veterans. Likewise, LVER staff are assigned, subject to the approval of the Secretary, as the state determines necessary and efficient to carry out employment, training, and placement services under Chapter 41, Title 38 US Code. This also must be viewed in light of the priority of service that exists for veterans in all DOL funded employment and training programs. In establishing priority of service, Congress intended to, “codify current practice in...DOL-funded programs where veterans are participating at a level that exceeds parity.” H. R. Rep. No. 107-476, at 22 (2002). To meet any increased demands on the One-Stop Center by veterans, Congress required priority of service in programs other than simply Chapter 41, Title 38 US Code. Given this, VETS policy is that DVOP Specialists and LVER staff are intended to serve eligible veterans, not the universal One-Stop Center customer.