

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Participant Eligibility Guidance
	CORRESPONDENCE SYMBOL ONP/DSFP
	DATE April 11, 2005

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 25-04

**TO: ALL NATIONAL FARMWORKER JOBS PROGRAM GRANTEES
ALL MIGRANT AND SEASONAL FARMWORKER YOUTH PROGRAM GRANTEES**

FROM: EMILY STOVER DeROCCO
 Assistant Secretary for Employment and Training

SUBJECT: PARTICIPANT ELIGIBILITY GUIDANCE

- Purpose.** To transmit the Participant Eligibility Guidance for participation in the National Farmworker Jobs Program (NFJP) and the Migrant and Seasonal Farmworker (MSFW) Youth Program under Section 167 of the Workforce Investment Act (WIA).
- References.** WIA Section 167, 20 CFR 669.110, 669.320 and 669.670; National Farmworker Jobs Program Bulletin No. 00-02.
- Background.** The NFJP was established to provide low income migrant and seasonal farmworkers (MSFWs) with the job training opportunities and supportive services they require for gaining access to employment and career opportunities. The purpose of the MSFW Youth Program is to meet the needs of at-risk and out-of-school farmworker youth through the provision of comprehensive services that enhance educational attainment and occupational and life skills.
- NFJP Participant Eligibility Requirements.** WIA provides that the farmworkers to be served by the NFJP are those persons who primarily depend on employment in agricultural labor that is characterized by chronic unemployment or underemployment. WIA also provides that to be considered unemployed, one must be without a job, be available for work and want work. Similarly, underemployed persons are those who are without full-time, year-round work, and who want and are available for full-time, year-round work.

RESCISSIONS: None	EXPIRATION DATE: Continuing
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The attached guidance provides information to allow grantees to comply with the portions of WIA Section 167 and the WIA regulations that pertain to participant eligibility requirements. It is to be used by all NFJP grantees and MSFW Youth Program grantees when enrolling individuals for services.

Each grantee must maintain an eligibility determination system that enables its staff to generate a record supporting their eligibility determinations and enrollment decisions. This is required to ensure that all persons enrolled are eligible for participation in the NFJP. Note that WIA provides that in order to be eligible to receive an intensive service, the participant must have received at least one core service, such as eligibility determination, and in order to be eligible to receive a training service, the participant must have received at least one intensive service. This also applies to the NFJP.

Individuals who are ineligible for the NFJP or for whom an alternative program is determined to be more responsive to their needs should be assisted through the services available from the other One-Stop partner programs for which they qualify. This means that the NFJP grantees should be actively working with the other One-Stop partners in assessing applicants to determine the services that are most appropriate for them.

The attached Guidance includes an addendum of “Questions and Answers” raised by the grantee community.

Attachments