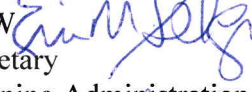
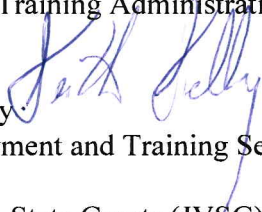


<b>EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> Veterans
	<b>CORRESPONDENCE SYMBOL</b> OPDR-DPLR
	<b>DATE</b> April 10, 2014

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 19-13**

**TO:** STATE WORKFORCE AGENCIES  
STATE WORKFORCE ADMINISTRATORS  
STATE WORKFORCE LIAISONS  
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS  
STATE LABOR COMMISSIONERS  
TRADE ADJUSTMENT ASSISTANCE LEADS  
AMERICAN JOB CENTERS  
EMPLOYMENT AND TRAINING ADMINISTRATION GRANTEES

**FROM:** ERIC M. SELEZNOW   
Acting Assistant Secretary  
Employment and Training Administration

KEITH KELLY   
Assistant Secretary  
Veterans' Employment and Training Service

**SUBJECT:** Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans

1. **Purpose.** This Training and Employment Guidance Letter (TEGL) identifies for the public workforce system the refocused roles and responsibilities expected to be carried out by JVSG staff; conveys the duties they are to perform; and discusses the relationship of services provided by staff within the larger workforce system.

2. **References.**

- 38 U.S.C. chapter 41, Job Counseling, Training, And Placement Service For Veterans (38 U.S.C. 4100-4114), as amended, specifically:
  - 38 U.S.C. 4103A, Disabled veterans' outreach program; and,
  - 38 U.S.C. 4104, Local veterans' employment representatives.
- 38 U.S.C. chapter 42, Employment And Training Of Veterans (38 U.S.C. 4211-4215), as amended, specifically:
  - 38 U.S.C. 4215, Priority of service for veterans in Department of Labor job training programs.
- Workforce Investment Act of 1998 (WIA), as amended (29 U.S.C. 2801 *et seq.*).
- 20 CFR Part 1001, Services for Veterans.

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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- 20 CFR Part 1010, Application of Priority of Service for Covered Persons.
- TEGL 10-09, *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)* (<http://wdr.doleta.gov/directives/attach/TEGL/TEGL10-09.pdf>).
- Training and Employment Notice 15-10, *Protocol for Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL)* ([http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2954](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2954)).
- Veterans Program Letter (VPL) 01-10, *Jobs for Veterans State Grants Recurring Report Requirements*, dated January 15, 2010.
- VPL 05-05, *Direct and Indirect Charges*, dated May 23, 2005.
- Veterans Program Letter (VPL) 07-09, *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor* ([http://www.dol.gov/vets/VPLS/VPLs/VPL\\_07-09/VPL\\_07-09\\_&Attachments\\_A-D%20.pdf](http://www.dol.gov/vets/VPLS/VPLs/VPL_07-09/VPL_07-09_&Attachments_A-D%20.pdf)).
- VPL 03-14, *Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans*

3. **Background.** The Department of Labor (DOL) is committed to serving transitioning service members, veterans, and their families by providing resources to assist and prepare them to obtain meaningful careers and maximize their employment opportunities. DOL's commitment is an important part of fulfilling our national obligation to the men and women who have served our country.

DOL serves transitioning service members, veterans, and their families through our current programs, such as Workforce Investment Act (WIA), Wagner-Peyser Employment Service (WP), and the Jobs for Veterans State Grant (JVSG) programs, and Transition Assistance Program Employment Workshops, as well as through new initiatives, such as the Gold Card Initiative, and online national electronic tools, such as My Next Move for Veterans ([www.mynextmove.org/vets/](http://www.mynextmove.org/vets/)), and the CareerOneStop Veterans ReEmployment Portal (<http://www.careeronestop.org/reemployment/veterans/>). DOL-funded employment and training programs assisted in serving 1.6 million veterans from July 2011 to June 2012. Veterans and other covered persons receive priority of service for all employment and training programs funded directly, in whole or in part, by DOL, as provided in 20 CFR Part 1010.<sup>1</sup> These include many of the programs operated by the more than 2,500 AJCs<sup>2</sup>, also

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<sup>1</sup> Under 20 CFR Part 1010 and 38 U.S.C. 4215, "priority of service" is provided to all "covered persons." Section 4215(a)(1) defines "covered persons" to mean veterans and the spouses "of any of the following:

- a. any veteran who died of a service-connected disability;
- b. any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - i. Missing in action;
  - ii. Captured in the line of duty by a hostile force; or
  - iii. Forcibly detained or interned in the line of duty by a foreign government or power; or
- c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs or any veteran who died while such a disability was in existence."



known as One-Stop Career Centers, nationwide that serve as the cornerstones for the nation's workforce investment system.

While DOL continues to meet the employment and training needs of veterans, it recognizes that changes in workforce programs' service delivery strategies to veterans are needed to respond to the forecasted increase in veterans, including men and women transitioning from the wars in Iraq and Afghanistan, to the civilian labor force. The workforce system must respond to this increase while continuing to serve existing veterans and other non-veteran job seekers. Additionally, changes are needed to ensure that workforce programs are aligned with the roles and functions established in their authorizing legislation.

Upon review of JVSG, WP and WIA program performance indicators and participant characteristics, the Veterans' Employment and Training Service (VETS) and the Employment and Training Administration (ETA) began discussions on an approach to refocus JVSG staff on their statutory duties and ensure that eligible veterans and eligible spouses receive the best combination of services, according to their needs. The agencies determined that to accomplish this refocusing, Disabled Veterans' Outreach Program (DVOP) specialists will serve only those veterans and eligible spouses most in need of intensive services. As a result, DVOP specialists will serve a narrower group of veterans and eligible spouses, enabling the specialists to provide intensive services to a vast majority of the people they serve. This, in turn, will impact the AJC programs, including WP and WIA. As a result of these discussions, ETA and VETS are issuing this TEGl and the parallel VPL 03-14.

This guidance was jointly-developed by VETS and ETA to address refocusing and reforming of the JVSG program. The guidance further explains the role of the WP- and WIA- funded staff in continuing to ensure priority services are provided to veterans.

- 4. JVSG Program.** One of the strategies used by DOL to serve veterans is the JVSG program, which provides funds to states to exclusively serve eligible veterans, as defined in 38 U.S.C. 4101(4) and 4211(4),<sup>3</sup> and other eligible spouses as defined in 38 U.S.C. 4101(5),<sup>4</sup> and to

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Under the regulatory definition of "covered persons", "veteran" is defined as it is in 38 U.S.C. 101(2) as a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.

<sup>2</sup> American Job Center is the unifying name that identifies One-Stop Career Centers, established under Section 134(c) of WIA, throughout the workforce system. The American Job Center network includes all the virtual and in-person publicly-funded workforce development resources, including partner services and resources, that are available through the workforce system. See TEGl 36-11, *Announcement of American Job Center Network* ([http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=7695](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=7695)).

<sup>3</sup> 38 U.S.C. 4101(4) and 4211(4) define the term "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; c) was 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; or d) was discharged or released from active duty by reason of a sole survivorship discharge (as that term is defined in section 1174(i) of title 10).

perform outreach to employers. JVSG funds are provided to states to fund two staff positions:

Disabled Veterans' Outreach Program (DVOP) Specialists -- Under 38 U.S.C. 4103A(a), a DVOP specialist provides intensive services<sup>5</sup> and facilitates placements to meet the employment needs of veterans, prioritizing service to special disabled veterans, other disabled veterans, and other categories of veterans in accordance with priorities determined by the Secretary of Labor (Secretary); and

Local Veterans' Employment Representatives (LVER) -- Under 38 U.S.C. 4104(b), the LVER's principal duties are to: (1) conduct outreach to employers in the area to assist veterans in gaining employment, including conducting seminars for employers and, in conjunction with employers, conducting job search workshops and establishing job search groups; and (2) facilitate employment, training, and placement services furnished to veterans in a State under the applicable State employment service delivery systems.

DVOP specialists and LVERs are an essential part of and fully integrated into the AJC network. They are included among the AJC partner staff, which consists of all staff employed by programs or activities operated by AJC partners listed in 29 U.S.C. 2841(b) that provide online and/or in-person workforce development or related support services as part of the workforce development system. Other AJC partner staff members include staff of WIA, WP, and other AJC network partner programs.

However, in recent years the integration of JVSG staff into the AJC Network has resulted in a blurring of roles and responsibilities, as DVOP specialists and LVERs have taken on additional veteran services and activities that are beyond the primary duties of these positions. Section 241 of the VOW to Hire Heroes Act of 2011 (VOW Act, Title II of Pub. L. 112-56) amended 38 U.S.C. 4103A and 4104. The VOW Act amendments specifically prohibit DVOP specialists and LVERs from performing non-veteran related duties that detract from their ability to perform their statutorily-defined duties related to meeting the employment needs of eligible veterans. Additionally, Section 241 of the VOW Act added provisions that require the Secretary to conduct regular audits to ensure compliance with the limitations on the duties of DVOP specialists and LVERs, and provide that the Secretary may reduce funding to any state determined not to be in compliance.

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4 Under 38 U.S.C. 4101(5), "eligible spouses" are the same spouses who are included as "covered persons" for purposes of priority of service, discussed in footnote 1 above.

5 As explained in 38 U.S.C. 4101(9), the "intensive services" provided by DVOP specialists are the "intensive services" defined in WIA Section 134(d)(3) (29 U.S.C. 2864(d)(3)). Under section 134(d), intensive services include: comprehensive and specialized assessments of skill levels and service needs; development of an individual employment plan to identify the employment goals, appropriate achievement objectives and appropriate combination of services for the participant to achieve the employment goals; group counseling; individual counseling and career planning; and short-term prevocational services that may include development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training.



To meet the VOW Act requirement, VETS is developing auditing standards to ensure that DVOP specialists and LVER staff are performing their primary duties as specified in the authorizing legislation for the JVSG program (38 U.S.C. 4102A, 4103A, and 4104, as amended).

5. **DVOP Specialists and Intensive Services to Eligible Veterans and Eligible Spouses.** In DOL's employment programs, including JVSG, WP, and WIA programs, intensive services are provided to both unemployed participants who require such services to obtain employment and to employed participants who require such services to obtain or retain employment leading to self-sufficiency. In accordance with 38 U.S.C. 4103A(a), DVOP specialists must provide intensive services to eligible veterans and eligible spouses to meet their employment needs, prioritizing service to special disabled and other disabled veterans, as defined by 38 U.S.C. 4211, and to other eligible veterans in accordance with priorities determined by the Secretary.<sup>6</sup> The statute also requires that DVOP specialists place maximum emphasis on assisting veterans who are economically or educationally disadvantaged. To ensure that DVOP specialists are able to fulfill their statutory responsibilities to provide intensive services to these categories of veterans, DOL has developed the following guidance to identify the veterans prioritized and emphasized by the DVOP statute.

In order to realign DVOP specialists' roles, DOL is directing that DVOP specialists must limit their activities to providing services to eligible veterans and eligible spouses who:

- a. meet the definition of an individual with a Significant Barrier to Employment (SBE), specifically defined in **bold**, below paragraph (b), or
- b. are members of a veteran population identified by the Secretary under 38 U.S.C. 4103A(a)(1)(C) as eligible for DVOP services, as explained in separate guidance from DOL.

**An eligible veteran or eligible spouse is determined to have a SBE if he or she attests to belonging to at least one of the six criteria below<sup>7</sup>:**

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<sup>6</sup> The Secretary does not interpret the statute to require priority to be given in the order that these groups are listed in the statute. Instead, DVOP specialists must provide the same priority to serving special disabled, other disabled and other veterans prioritized by the Secretary, including those the Secretary has identified as having Significant Barriers to Employment in this guidance.

<sup>7</sup> The determination of disability under the SBE definitions must be made solely on the basis of self-identification. In requesting this information, all of the following requirements must be met: (1) any written questionnaire used for this purpose must make clear that the information requested is intended for use solely in connection with efforts to give priority to persons with disabilities (if no written questionnaire is used, this information must be made clear orally); and (2) the staff member or person seeking the information must state clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant or participant to any adverse treatment, and that it will be used only in accordance with law.

1. **A special disabled or disabled veteran, as those terms are defined in 38 U.S.C § 4211(1) and (3); Special disabled and disabled veterans are those:**
  - **who are entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans' Affairs; or,**
  - **were discharged or released from active duty because of a service-connected disability;**
2. **Homeless, as defined in Section 103(a) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302(a));**
3. **A recently-separated service member, as defined in 38 U.S.C § 4211(6), who at any point in the previous 12 months has been unemployed for 27 or more consecutive weeks;**
4. **An offender, as defined by WIA Section 101(27), who has been released from incarceration within the last 12 months;**
5. **Lacking a high school diploma or equivalent certificate; or**
6. **Low-income (as defined by WIA at Sec. 101(25)(B)).**

This guidance is meant to limit the number of eligible veterans and eligible spouses who DVOP specialists serve. Limiting DVOP specialists to serving only the veterans and eligible spouses who meet the criteria in paragraphs (a) and (b) above will ensure that the DVOP specialists are serving the specific population of eligible veterans and eligible spouses prioritized by 38 U.S.C. 4103A. It will also ensure that DVOP specialists are better able to fulfill their primary responsibility of providing intensive services to all the people they serve.

While the DVOP specialists' provision of intensive services to these veterans and eligible spouses may include some core services, serving a more limited population will allow DVOP specialists enough time to devote a majority of their time to providing intensive services. The veterans who do not fall into one of the categories that are served by DVOP specialists are eligible to be served by other AJC Staff, including WIA, WP, and other AJC program staff, and are eligible for priority of service as is discussed in section 8 below.

The SBE categories were developed to implement the priority and maximum emphasis requirements of 38 U.S.C. 4103A(a). As required by that subsection, "special disabled veterans" and "disabled veterans" (as those terms are defined in 38 U.S.C. 4211(1) and (3)) are included in the group of veterans who are given priority because they have a SBE. In addition, the SBE categories give priority to the other categories of veterans and eligible spouses identified by the Secretary and gives maximum emphasis to serving veterans and eligible spouses who are educationally or economically disadvantaged, such as certain groups of veterans and spouses who have been removed from the workforce for significant periods of time. Additionally, under 38 U.S.C. 4103A(a)(1)(C), the Secretary may choose to prioritize additional categories of veterans and eligible spouses who may receive intensive services from DVOP specialists. Any additional priorities will be set forth in separate guidance.



The Secretary will regularly reassess the definition to ensure it reflects the best available data and trends associated with veteran employment and continues to identify those veterans who are to be given priority and maximum emphasis for DVOP services under 38 U.S.C. 4103A(a).

An eligible veteran or eligible spouse who is identified as having a SBE must be immediately referred to a DVOP specialist or, in instances where a DVOP specialist is not available, another AJC provider of intensive services. For planning purposes, ETA and VETS anticipate that approximately 30 percent of veterans seeking AJC services nationwide will be identified as having a SBE.

Case management continues to be an appropriate service delivery strategy or framework within which intensive services may be delivered, particularly for veterans. Intensive services should be delivered following the case management framework in most cases. However, case management itself is a process, not a service, and is therefore not to be reported as a service, intensive or otherwise.

#### Managing the DVOP Caseload

In the event that a DVOP specialist does not have a full case-load of eligible veterans and eligible spouses who meet the criteria above (section 5, paragraphs a) and b)), the DVOP specialist may perform additional activities, in the order specified below:

1. Review all open case files of current participants with a SBE or in a priority category and perform case management duties.
2. Conduct relationship building, outreach and recruitment activities with other service providers in the local area, to enroll SBE and priority category veterans in an AJC.

In addition, WP, WIA, and other AJC partner staff will continue to provide services, including intensive services, to veterans and eligible spouses as appropriate under the programs the staff administer. This guidance does not limit the ability of non-JVSG staff to provide intensive services to veterans who do not have a SBE or are not in a veteran category specified by the Secretary. Also, veterans with a SBE or in a specified category must have access to all appropriate AJC services and are not limited to receiving services only from DVOP specialists. Those veterans not meeting the SBE definition or not within a specified category identified by the Secretary are to be referred to appropriate non-JVSG AJC staff member(s) to receive core, intensive, and/or training services, on a priority of service basis. ETA and VETS will provide technical assistance to states and local areas to assist in the coordination of efforts between DVOP specialists and AJC staff to ensure that all veterans are receiving needed services.

6. **LVER Staff and Employer Outreach/Facilitation.** LVERs must perform only the duties outlined in 38 U.S.C. 4104(b), which are related to outreach to the employer community and facilitation within the state's employment service delivery system. Therefore, LVERs must be assigned duties that promote to employers, employer associations, and business groups the

advantages of hiring veterans. When employer outreach is primarily accomplished by a “business services team” or like entity, the LVER must be included as an active member of that team. LVERs should advocate for all veterans served by the AJC with business, industry, and other community-based organizations by participating in appropriate activities such as:

- Planning and participating in job and career fairs;
- Conducting employer outreach;
- In conjunction with employers, conducting job searches and workshops, and establishing job search groups;
- Coordinating with unions, apprenticeship programs and businesses or business organizations to promote and secure employment and training programs for veterans;
- Informing Federal contractors of the process to recruit qualified veterans;
- Promoting credentialing and licensing opportunities for veterans; and
- Coordinating and participating with other business outreach efforts.

LVERs are also responsible for “facilitating employment, training, and placement services furnished to veterans in a State under the applicable State employment service delivery systems” (38 U.S.C. 4104(b)(2)). VETS defines this facilitation duty as the act of capacity building within the state’s employment service delivery system to ensure easier access to the appropriate employment and training services for job seeking veterans. LVERs should play an important role in assisting with the development of the service delivery strategies for veterans in their assigned AJC, as well as educating all AJC partner staff with current employment initiatives and programs for veterans.<sup>8</sup>

7. **Determining Appropriate Staffing Levels.** As part of the effort to refocus the workforce system, states should evaluate the proportion of DVOP specialists to LVER staff and their assignment to specific geographic areas.

First, data indicate that a significant number of LVER staff are performing the duties of a DVOP specialist, by providing direct services to eligible veterans instead of performing outreach to employers and facilitating placements, as required by 38 U.S.C. 4104(b). VETS requests that states take this opportunity to review the functions of LVER staff and determine the level of LVER and DVOP services needed. LVER staff should be assigned in numbers appropriate to provide outreach and facilitation services at the level needed within a workforce area. To the extent that states determine that the number of LVER staff should be reduced, there may be a corresponding increase in the number of DVOP specialists in the state.

Second, as DVOP specialists focus on veterans with a SBE, or those veteran populations specified by the Secretary, states may need to adjust the geographic assignment of DVOP specialists to accommodate demand. In other words, states should ensure that staffing plans place DVOP specialist positions in areas where the need for intensive services is greatest.

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<sup>8</sup> LVERs may work directly with any AJC partner staff members to assist that staff member with placing a specific veteran participant.



Determining the appropriate mix of JVSG staff and their geographic assignment will be an ongoing process for states, with assistance from DOL. VETS will review state plans and assist states in modifying plans to take these factors into consideration.

8. **Priority of Service.** On November 7, 2002, the Jobs for Veterans Act (JVA, Pub. L. 107-288) was enacted into law. One provision of the JVA, codified at 38 U.S.C. 4215, establishes a priority of service requirement for “covered persons” (veterans and certain spouses of veterans, as defined by 38 U.S.C. 4215(a)(1)(A-B)), in qualified job training programs. Qualified job training programs include all workforce programs funded directly, in whole or in part, by DOL, such as WP and WIA employment services, and other job training programs offered through competitive grants. The final rule implementing the priority of service requirement took effect on January 19, 2009, and can be found at 20 CFR 1010. Additionally, ETA and VETS have provided policy guidance to the workforce investment system regarding the implementation of priority of service, including TEGL 10-09 and VPL 07-09. In brief, priority of service means that veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training, and placement services provided under a qualified job training program. This means that a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person, or, if the resource is limited, the veteran or eligible spouse receives access to the services instead of or before the non-covered person.

It is important to note that the priority of service requirements are not affected by this guidance; direct recipients of DOL funding remain subject to the priority of service guidance and regulations. Additionally, priority of service and the JVSG reforms should not be interpreted to limit veterans and eligible spouses to receiving services only from JVSG or other specialized staff. Procedures or policies that restrict a veteran’s access to WIA or WP services, even if such restrictions are intended to provide the veteran with specialized services, are contrary to the priority of service requirements.

9. **Performance Targets and Reporting.** States must continue to report intensive services delivered by DVOP specialists, as well as any intensive services delivered to veterans by other AJC staff, in accordance with the specifications of the Labor Exchange Reporting System, the performance reporting system for the WP and the JVSG programs (see ETA Handbook No. 406 for details). It is important that states accurately report the number of veteran participants and the services and outcomes achieved.

The changes to JVSG staff roles and responsibilities, as conveyed in this guidance, will necessarily result in adjustments to services being provided by WP and WIA staff. Consistent with this adjustment, VETS has established new performance guidelines for states, which will be used to ensure proper implementation of the policy set forth in this guidance.

To ensure that DVOP specialists are spending the majority of their time providing intensive services, VETS has established the following state performance goals, providing for incremental increases to allow time for full implementation of this guidance.

- Fiscal Year (FY) 2014: At least 50 percent of veterans and eligible spouses served by DVOP specialists will receive intensive services;
- FY 2015: At least 75 percent of veterans and eligible spouses served by DVOP specialists will receive intensive services;
- FY 2016: At least 90 percent of veterans and eligible spouses served by DVOP specialists will receive intensive services.

States failing to meet the target must evaluate reasons for the low percentage and take appropriate actions to demonstrate incremental increases towards meeting this target.

The Director for Veterans' Employment and Training (DVET) in each state will closely monitor the state's quarterly progress towards reaching these targets and will provide ongoing technical assistance to ensure compliance with this guidance.

States currently report LVER employer outreach and job development efforts on the quarterly Manager's Report on Services to Veterans, including:

- Activities that promote the hiring of veterans and other eligible spouses and the results of those efforts;
- Activities that inform employers about incentives for hiring veterans;
- Job development contacts for veterans or other eligible spouses; and
- The number of veterans who entered employment following a job development contact.

The DVET in each state will closely monitor the information provided on the Manager's Report on Services to Veterans to ensure that each LVER, whether serving as a full-time or half-time LVER, is focused on activities aligned with their duties, as described in this guidance. States that do not demonstrate that the appropriate activities are being performed by LVER staff by the quarter ending December 31, 2014, will be identified for technical assistance by the DVET.

DOL is currently developing a metric to better assess and report on the performance and outcomes of LVER staff. Until a new metrics are developed, the DVET will continue to closely monitor performance submitted via the VETS 200(B) report, as it is expected that direct services to veterans by LVER staff will significantly decline. Over the past two years, many states have already made significant progress in decreasing LVER staff's direct services to participants, as evidenced by this report. As states successfully refocus LVER positions on their statutorily-defined duties, ETA and VETS will consider if the VETS 200B report is still a valid reporting mechanism.



VETS will review the grant-based performance goals that were negotiated for PY 2013 to ensure that the goals align with this guidance.

**10. Changes to Service Delivery within the WIA and WP Programs.** As described above, DOL is fully dedicated to serving the men and women who have served our country. JVSG is an essential partner within the AJC network, and DOL's efforts to reorient this program are intended to improve service delivery by clarifying the specific roles of JVSG staff while also reaffirming the responsibilities of other AJC partners to serve veterans as required by their governing statutes. The changes to the JVSG program will result in numerous benefits for veterans, including better targeting DVOP specialist-provided intensive services to those veterans that require the most help to get back to work, while more effectively using the resources of other AJC partners in accordance with their authorizing legislation. Although a large number of veterans with SBEs and in specified categories will be served by DVOP specialists, ETA and VETS expect the overall number of veterans served by WP and WIA Adult and Dislocated Worker programs to increase as a result of JVSG realignment. This shifting of veteran service delivery among workforce programs is necessary to fully implement priority of service; focus all these programs, including WP and WIA, on the roles, responsibilities, and functions that are specified in their authorizing legislation; and provide for full implementation of VOW Act provisions.

**11. Effective Date.** While the refocusing of the workforce system is effective upon the release of this guidance, DOL is mindful of the considerable time and resources required to ensure successful implementation. DOL will begin to assess states' implementation of this guidance beginning July 1, 2014.

DOL is dedicated to helping states implement this refocusing strategy and understands that it must provide enough time for AJCs to transition to the refocused roles and responsibilities of the affected programs.

#### Training and Online Resources

ETA and VETS are developing online training for all AJC frontline staff on the programmatic changes discussed in this guidance. Training is available through the National Veterans' Training Institute (NVTI) at <http://www.nvtihelpvets.ucdenver.edu>; all AJC staff will be able to access the training. Information will also be provided through ETA's Veterans' Priority Community of Practice (<https://veterans.workforce3one.org/>), which is open to all AJC staff. ETA and VETS also plan to host related Webinars for state and AJC staff.

#### Auditing, Monitoring, and Technical Assistance

VETS began auditing compliance of Title 38 in FY 2013 to collect baseline information. As auditing continues, VETS will provide technical assistance and corrective action plans to states determined to be out-of-compliance.

**12. Action Requested.** State Administrators and AJC directors are requested to immediately transmit this TEGL to appropriate staff. Additionally, the following actions are requested:

- States and AJCs should ensure standard operating procedures are updated to align AJC staff and processes with the requirements outlined in this guidance.
- States must review the current performance plans and position descriptions for all DVOP specialists and LVERs to ensure that their duties align with those described in this TEG.
- States must review their staffing plans to determine whether it is appropriate to increase the number of DVOP specialists, through an off-setting decrease in LVERs.
- States should consult with the appropriate DOL regional office if technical assistance is needed.

**13. Inquiries.** All inquiries should be directed to the appropriate ETA or VETS regional office.