

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Wagner-Peyser/WIA/VETS
	CORRESPONDENCE SYMBOL OWI/OPDR
	DATE October 5, 2012

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 8-12

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS
STATE WORKFORCE LIAISONS
STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS
STATE LABOR COMMISSIONERS
AMERICAN JOB CENTERS
EMPLOYMENT AND TRAINING ADMINISTRATION REGION
ADMINISTRATORS
WOMEN’S BUREAU REGIONAL ADMINISTRATORS
SUB-RECIPIENTS OF DEPARTMENT OF LABOR FUNDS

FROM: JANE OATES /s/
Assistant Secretary

SUBJECT: Summary of the Roles and Responsibilities of the Public Workforce System in Tracking, Offering Employment Services, and Reporting Outcomes of Veterans Retraining Assistance Program (VRAP) Participants.

1. **Purpose.** To inform the public workforce system about the required process for outreaching to and tracking outcomes of VRAP participants. This includes how the Department of Labor (DOL) will make available VRAP participant information to the public workforce system and procedures for American Job Center (formerly One-Stop Career Center) staff to offer VRAP participants employment assistance upon program completion or termination as required by the VOW to Hire Heroes Act of 2011. This guidance also provides reporting specifications for reporting public workforce system outreach activities and the employment outcomes of VRAP participants.

2. **References.**

- Section 211 of the VOW to Hire Heroes Act of 2011 (“VOW Act,” Title II of Pub. L. 112-56);
- Training and Employment Guidance Letter (TEGL) 37-11, *Notification of Available Funding to Implement Veterans-Related Reporting Requirements in the Labor Exchange Reporting System (LERS)*; and

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- Training and Employment Notice (TEN) 43-11 and Veterans' Program Letter (VPL) 07-12, *Overview of the Veterans Retraining Assistance Program (VRAP), section 211 of the VOW to Hire Heroes Act of 2011*.
- TEGL 7-12, *Implementing the Veterans-Related and Other Reporting Change Requirements in the Labor Exchange Reporting System (LERS)*

3. **Background.** On November 21, 2011, President Obama signed the VOW Act (Title II of Pub. L. 112-56) into law, which established VRAP. Under the VRAP, the Department of Veterans Affairs (VA), in cooperation with DOL, pays up to 12 months of retraining assistance to unemployed, eligible veterans aged 35 to 60 who participate in training programs for “high demand¹” occupations. Eligibility is jointly determined by DOL and VA. The “high demand” occupations list is a national list, as determined by the Bureau of Labor Statistics and ETA.

VRAP may accept applications to enroll up to 45,000 veterans in Fiscal Year (FY) 2012, from July 1, 2012 through September 30, 2012, and up to 54,000 veterans from October 1, 2012 through October 1, 2013, with training concluding by March 31, 2014.

In order to qualify for retraining assistance, a veteran must satisfy the following eligibility criteria:

- Be at least 35 but not more than 60 years old, at the time of application;
- Be unemployed on the date of application;
- Not enrolled in any Federal or state job training program at any time during the previous 180-day period as of the application date;
- In receipt of an other than dishonorable discharge from the last period of active duty service in the armed forces;
- Not eligible for any other VA educational assistance;
- Not in receipt of VA compensation for a service-connected disability rated totally disabling by reason of unemployability; and
- Submit an application no later than October 1, 2013.

Acceptance of applications began on May 15, 2012, and will continue through October 1, 2013. The application is a joint VA/DOL electronic application which can be accessed from the VOW to Hire Heroes Act Web site (<http://benefits.va.gov/vow>). DOL and VA are each responsible for determining eligibility based on specific criteria. Veterans apply for the program by signing into their VA Veterans Online Application² (VONAPP) or by registering for a new account. Once the participant has selected the VRAP application they will first answer questions pertaining to DOL's eligibility requirements: age, unemployment status, and previous enrollment in a Federal or state job-training program in the past 180 days. The veteran then affirms that the statements he or she made are true and correct. After the veteran submits this information, he or she will be determined by the applicant's self-attestation to be initially eligible or ineligible for the program per DOL's requirements. If

¹ A list of “high demand” occupations is available at: http://benefits.va.gov/vow/docs/VRAP_High_Demand.pdf

² Link to VONAPP: <http://www.gibill.va.gov/apply-for-benefits/application/>

determined ineligible, the veteran will receive a system generated letter (on the screen and printable) explaining the reason for his or her ineligibility and informing them of their rights to appeal. The letter also refers the veteran to their nearest American Job Center by calling 1-877-US2-JOBS (1-877-872-5627) toll free, or by going to the America's Service Locator Web site (www.servicelocator.org). A veteran can apply for the program again if he or she believes they answered a question incorrectly or their circumstances that resulted in ineligibility change.

If the veteran is determined initially eligible under DOL requirements, he or she will continue the application so that VA can conduct its eligibility determination. VA will determine eligibility by ensuring the applicant: received an other than dishonorable discharge from the last period of active duty service in the armed forces; is not eligible for any other VA educational assistance; and, is not in receipt of VA compensation for a service-connected disability rated totally disabling by reason of unemployability. The veteran will also indicate the "high demand" occupation in which they are applying for training. As part of the VA application process, the veteran will need to have bank routing and account information in order to complete the application. If the veteran is determined eligible based on the information submitted, he or she will receive a system generated letter in the mail informing them of the next steps to utilize the benefit. If determined ineligible by DOL, the applicant will receive a system generated notification letter on the screen, which provides information on how to appeal the decision. If determined ineligible by VA, the applicant will receive an individualized letter indicating the specific reasons for denial and appeal rights. Veterans with questions regarding the status of their application may send an electronic inquiry on the VA Web site, (<http://www.gibill.va.gov>) or contact the VA Education Call Center at 1-888-GIBILL-1 (1-888-442-4551).

After being determined eligible by DOL and the VA, the veteran is able to receive a VRAP stipend from VA for up to 12 months for participating in a full-time training program for a "high demand" occupation offered by a community college or technical school. Once the application is approved by DOL and the VA, the training can begin. The veteran will need to enroll in the training program. The school certifying official must verify each veteran's enrollment by providing an enrollment certification form to VA. The veteran will then receive a monthly educational assistance stipend paid directly to the student (currently \$1,473 per month). The training program must lead to an associate degree or a certificate (or other similar evidence of the completion of the program of education or training) leading to a "high demand" occupation. Please note: If an applicant is approved after the FY 12 limit of 45,000 approved applicants is reached, then benefits will begin October 1, 2012. Additional guidance on the coordination of DOL funded training programs with the VRAP will be provided subsequent to this TEGL.

- 4. Providing Participant Contact Information to the States and Local Areas.** American Job Center staff are responsible for providing outreach to offer employment services to VRAP participants within 30 days of the participants completing or terminating training. In order to facilitate the provision of employment services to VRAP participants, DOL will regularly receive a data file from the VA with participant information. DOL will sort and compile appropriate data for each state and will disseminate to states a participant data file on a

weekly basis for those participants that completed or terminated training. For purposes of this TEGP, the word “states” includes the fifty states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and Guam. This information will be provided in an Excel spreadsheet for each state and will be disseminated via a federally maintained secure File Transfer Protocol (sFTP). Each state will be responsible for retrieving their file from the sFTP site and disseminating the information to the appropriate individuals to ensure that outreach will be offered by local American Job Center staff as quickly as possible. Each state will have to use sFTP client software to access the participant data file. States may use any existing sFTP software they have, or acquire any sFTP software of their choosing. A brief tutorial outlining one of the ways to obtain and use sFTP software is available in Attachment A.

The participant data file that will be disseminated via the sFTP will include the below listed data elements. A sample of the participant data file and explanation of the data elements is also available in Attachment B:

- Name
- Date of Birth
- Email Address
- Phone Number
- High Demand Occupation Selected
- Address
- State
- Zip Code
- Name of Facility
- Course Name
- Objective Name
- DOL-assigned unique identifier
- Employment Assistance

Each state file will be password-protected and encrypted so that each state may ONLY view/extract its own file. The usernames and passwords for each state will be distributed separately to the state designated contacts by DOL. Once a file is received by a state, it should then be distributed securely among the American Job Centers where appropriate. While the actual method of dissemination of this file is within state discretion, one recommendation is to use the zip code of residence to cross-match the participant to the closest American Job Center. The assigned Center would then be responsible for contacting the participant.

Because these data files contain personally identifiable information (PII) of program participants, states should follow all applicable state and Federal laws concerning the storage, handling, access and transmissions of PII as well as the applicable guidance set forth by DOL and VA.

5. **Offering Employment Assistance.** Once an American Job Center receives a VRAP file, the Center manager should assign participants to staff as appropriate per the roles and responsibilities for each staff person. Assigned staff should attempt to provide outreach to each participant assigned. An outreach attempt is considered any of the following: physical letter sent to participant, phone call to participant or email sent to participant. If contact to the veteran is made, staff should encourage the applicant to visit the American Job Center so that staff can provide employment services to the veteran and register him or her into the state’s Wagner-Peyser system. In instances where the initial outreach attempt is not

successful, a minimum of two additional attempts should be made within the 30-day period after the VRAP participant completed or terminated training; after the third failed attempt, no further outreach is required.

The above described outreach attempts will result in one of the following scenarios and responses:

1. *Contact made, participant looking for a job/requests further assistance:* All attempts should be made to persuade the veteran to come into the American Job Center, or to sign-up for Wagner-Peyser services virtually. This will not only allow for staff to serve and track the participant, but it will also greatly aid in tracking performance outcomes;
 2. *Contact made, participant already found employment:* In this scenario, the participant may not want/need additional services as he or she has already found employment. However, since this individual will not be a new registrant in the Wagner-Peyser program this outcome will not be counted for workforce system performance purposes, but it will need to be tracked for documenting outreach and reporting for VRAP;
 3. *Contact made, participant is not seeking further assistance:* If a participant is not willing to participate in additional follow-up services or refuses to register for Wagner-Peyser services over the phone, then this outcome will not count for performance purposes but will need to be tracked for documenting outreach and reporting for VRAP;
 4. *Contact cannot be made:* After 3 unsuccessful attempts to contact the veteran within the specified 30 day timeframe, the veteran will be deemed “non-responsive.” The individual will be excluded for performance purposes but documentation of outreach to the veteran will need to be tracked.
6. **Reporting VRAP Outcomes.** DOL and VA are required to report no later than July 1, 2014, on the performance of the VRAP. This report must include: total VRAP participants, number who earned a credential (associates degree, certificate, other credential), and “data related to the employment status” of participants. In order to report on the employment status as required in the VOW Act, DOL is seeking to leverage the Wagner-Peyser program and LERS. DOL will use the current employment measures of Entered Employment Rate (EER), Employment Retention Rate (ERR), and Median Earnings to satisfy the reporting requirement for employment status.

Changes to the LERS reporting (outlined in TEGl 7-12) approved by the Office of Management and Budget (OMB) on August 7, 2012, requires states to modify their reporting systems to include a “Special Program Identifier” field in the individual record layout. In order to track the outcomes specific to VRAP participants, DOL is requiring the code “VRAP” be used in the Special Program Identifier to flag the individual as a VRAP participant. States would then be able to query their systems to provide the outcomes for those VRAP participants registered in Wagner-Peyser. Additionally, if a VRAP participant is placed into a program funded by the Workforce Investment Act (WIA), these individuals should also be flagged by using the code “VRAP” under the ‘Third NEG Project ID/Special Project ID’ field in the state’s Workforce Investment Act Standard Record Data file.

In order to register as many VRAP participants into the LERS reporting system as possible DOL is recommending the assigned case managers take the following steps for reporting:

- Once the case manager is assigned by the Center Manager, the case manager will receive his or her file on VRAP participants and should first query the existing reporting system to see if the participant has already been registered in Wagner-Peyser or WIA. Using the participant's name, date of birth, address, state, zip code, phone number, and email provided in the file the case manager should be able to discern if the participant has been registered in Wagner-Peyser or WIA previously. If the manager can find the participant and can reasonably conclude the person is the same as the one already registered (there will not be a Social Security Number provided in the file to compare with the state's records), then the case manager should flag the individual in the management information system with the Special Projects field as "VRAP." After the participant has been flagged as a VRAP participant, the case manager should then provide the outreach and employment assistance as outlined in section 5 of this document.
- If the participant has not already been registered into Wagner-Peyser or WIA, then the case manager should provide the outreach and employment assistance as outlined in section 5 of this document and attempt to have them come to the American Job Center and register for Wagner-Peyser when they are provided employment services. If the individual comes to the Center for services the case manager should flag the participant as a VRAP participant in the Special Projects field as "VRAP."
- If the participant is contacted and does not come in to register for Wagner-Peyser or WIA, then the case manager will use the "Employment Assistance" column in the file they receive from DOL and the state to track what the outcome of the contact was:
 - The case manager should put a "1" in the "Employment Assistance" column if the individual was contacted and did not need employment assistance because they already had a job
 - The case manager should put a "2" in the "Employment Assistance" column if the individual was contacted and does not come in to receive employment assistance for any other reason
 - The case manager should put a "3" in the "Employment Assistance" column if the individual was non-responsive to the offering of employment assistance
 - The case manager should put a "4" in the "Employment Assistance" column if the individual was either already registered in the state Wagner-Peyser program, or the case manager was able to register the individual after VRAP training completed.

Each state should collect this information from the American Job Center on a quarterly basis, so the state can share the file documenting the outreach efforts with DOL. ETA is requesting an Information Collection Request (ICR) from OMB to require reports containing this data from the states. Please note that OMB has yet to approve this request; until OMB approval is granted, the data is not required to be submitted to ETA. However, ETA strongly

recommends the states begin collecting the data, as they will be required to submit the reports to ETA when OMB approves the ICR. States will use the FTP site they use to receive their VRAP files to also save the file on participant outreach to DOL. States will only need to include the “DOL-assigned unique identifier” and the “Employment Assistance” fields in the report they send to DOL (Attachment C). States will be required to save these files to the FTP site on a quarterly basis so DOL can provide timely updates to Congress on outreach efforts for providing employment assistance. DOL may also require states to send reports from LERS that include the performance outcomes of those participants in VRAP registered in Wagner-Peyser or WIA; future guidance will address this.

7. **Action Requested.** States should disseminate this guidance to personnel responsible for reporting on Wagner-Peyser Act and WIA programs. States should also ensure local areas receive this guidance so that case managers can familiarize themselves with the outreach and reporting requirements for VRAP. States should immediately ensure they have sFTP software currently, and if not, to access the free software linked in this TEGl or other sFTP software. States should ensure they have established methods to disseminate participant data to local areas on a regular basis and receive reports to send back to DOL.
8. **Inquiries.** Please direct questions regarding this notice and instructions to the appropriate regional office.
9. **Attachments.**
 - A. Guide to obtaining free FTP software
 - B. Sample VRAP Participant Report
 - C. Sample Proposed Quarterly State Outreach Report