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**STATE INSTRUCTION NUMBER 13-05, Change 3**

**To:** DEW Area Directors  
DEW Regional Managers  
DEW Veterans' Services Staff  
Local Workforce Area Administrators

**Subject:** Designation of Additional Populations of Veterans Eligible for DVOP Services

**Issuance Date:** March 22, 2019

**Effective Date:** March 22, 2019

**Purpose:** This guidance includes an updated list of eligible persons defined as having a Significant Barrier to Employment (SBE) and other veteran populations eligible to be served by the Disabled Veterans' Outreach Program (DVOP), to include the addition of Vietnam-era veterans and eligible transitioning service members, spouses, and family caregivers.

**References:**

- Training and Employment Guidance Letter (TEGL) 19-13, Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of the American Job Center (AJC) Staff Serving Veterans
- TEGL 19-13, Change 1, Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the DVOP
- TEGL 19-13, Change 2, Expansion and Clarification of Homeless Definition as a SBE
- TEGL 20-13, Change 2, Designation of Additional Population of Veterans and Other Populations Eligible for Services from the DVOP Specialists

**Background:** In April of 2014, the US Department of Labor (DOL) developed guidance to outline the refocused roles and responsibilities expected to be carried out by the JVSG program, the duties to be performed by DVOP specialists, and the relationship of services provided by staff

within the larger workforce system. As a result, **DVOP specialists must limit their activities to providing services to eligible veterans and spouses who:**

- Meet the definition of an individual with a SBE, or
- Are members of a veteran population identified by the Secretary of Labor as eligible for DVOP services.

Since 2014, DOL has further clarified the definition of a SBE, including recently-separated service member, offender, and homeless; and the Secretary of Labor identified veterans aged 18-24 as a population to be served. The Consolidated Appropriations Act of 2014 and all Appropriations Acts since have also identified eligible service members, spouses, and family caregivers as individuals who may receive services from DVOP specialists.

Per DOL guidance, the above groups were defined in State Instruction 13-05, and further clarified in State Instructions 13-05, Changes 1 and 2.

**Policy:** Below is a complete list of eligible veterans and eligible spouses defined as having a SBE and additional veteran populations identified by DOL as eligible for DVOP services.

Eligible veterans and spouses defined as having a SBE include:

- A **special disabled or disabled veteran**, as those terms are defined in 38 USC §421(1)(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;
- A **homeless person**, as defined in Sections 103(a) and (b) of the McKinney-Vento Homeless Assistance Act (42 USC 11302(a) and (b)), as amended, to include domestic violence and other dangerous or life-threatening conditions affecting permanent residence;
- A **recently-separated service member**, as defined in 38 USC §4211(6), who has been unemployed for 27 or more weeks in the previous 12 months;
- An **offender**, as defined by the Workforce Innovation and Opportunity Act Section 3(38), who is currently incarcerated or who has been released from incarceration;
- A veteran **lacking a high school diploma or equivalent certificate**; or
- A **low-income individual** (as defined by WIOA Section 3(36)).

Additional veteran populations identified by DOL as eligible for DVOP services include:

- **Veterans aged 18-24**—veterans who may possess limited civilian work history which can make transitioning to the civilian labor force difficult, and thus may benefit from individualized career services provided by a DVOP specialist.
- **Vietnam-era Veterans**—eligible veterans who served any part of their active military, naval, or air service during the Vietnam era. The Bureau of Labor Statistics and the Veterans Affairs data indicate that there are still a sizable number of Vietnam-era Veterans in the workforce, and many face difficulty in finding and maintaining employment. The Vietnam-era falls within the following timeframes:
  - The period beginning on February 28, 1961, and ending on May 7, 1975, in the case of a veteran who served in the Republic of Vietnam during that period; and
  - The period beginning on August 5, 1964, and ending on May 7, 1975, in all other cases.
- **Eligible Transitioning Service Members, Spouses, and Family Caregivers**—in annual appropriation bills since the Consolidated Appropriations Act of 2014, Congress has authorized the JVSG program to support individualized career services to:
  - Transitioning members of the Armed Forces who have been identified as in need of individualized career services;
  - Members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities (MTFs) or warrior transition units (WTUs); and
  - The spouses or other family caregivers of such wounded, ill, or injured members.
    - The term “caregiver” with respect to an eligible veteran means an individual who provides personal care services to the veteran.
    - The term “family caregiver” with respect to an eligible veteran means a family member who is a caregiver of the veteran.
    - The term “family member” with respect to an eligible veteran means an individual who (a) is a member of the family of the veteran, including parent, spouse, child, step-family member, and extended family member; or (b) lives with, but is not a member of the family of the veteran.

Veterans who do not fall into one of the categories that are served by DVOP specialists are eligible to be served by non-JVSG SC Works staff on a priority basis.

**Action:** The Veterans’ Services Intake Form (see attached) has been updated to reflect the inclusion of Vietnam-era veterans and eligible transitioning service members, spouses, and family caregivers. Prior versions of the form should be discarded and SC Works intake procedures modified accordingly. Please ensure that all appropriate staff receive and understand this State Instruction.

State Instruction 13-05, Change 3

Designation of Additional Populations of Veterans Eligible for DVOP Services

March 22, 2019

Page 4 of 4

**Inquiries:** Questions may be directed to Policies and Procedures at [PolnPro@dew.sc.gov](mailto:PolnPro@dew.sc.gov).

A handwritten signature in blue ink that reads "Susan M. Boone". The signature is written in a cursive style and is positioned above a horizontal line.

Susan M. Boone, Chief Legal Officer  
SC Department of Employment and Workforce

Attachment: Veterans' Services Intake Form (Rev. 03/2019)

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# Veterans' Services Intake Form

Date: \_\_\_\_\_

Priority of service is the right of veterans and eligible military spouses to receive employment, training, and placement services before non-eligible persons, as long as other provisions of the law are met. Please complete this questionnaire to determine your eligibility for priority services provided by Disabled Veterans' Outreach Program (DVOP) Specialists.

Full Name: \_\_\_\_\_ SCWOS User ID: \_\_\_\_\_

Contact Information: ( \_\_\_\_\_ ) Email: \_\_\_\_\_  
 Home Phone  Cell Phone

### Complete this section if you are a military spouse.

- Are you the spouse of:
1. A veteran who died of a service connected disability?  Yes  No
  2. A member of the Armed Forces serving on active duty who is currently and has been listed in one or more of the following categories for a total of more than 90 days:
    - Missing in Action?  Yes  No
    - Captured in the line of duty by a hostile force?  Yes  No
    - Forcibly detained or interned in the line of duty by a foreign government or power?  Yes  No
  3. A veteran who has a Department of Veterans Affairs total disability rating?  Yes  No
  4. A veteran who died while a Department of Veterans Affairs total disability rating existed?  Yes  No

### Complete this section if you are a veteran or an eligible military spouse.

An eligible veteran or eligible military spouse is determined to have a Significant Barrier to Employment (SBE) if he or she meets at least one of the six criteria below:

5. \*Are you a special disabled or disabled veteran who:
  - is 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  Yes  No
  - was discharged or released from active duty because of a service-connected disability?  Yes  No
6. Are you homeless, to include domestic violence and other dangerous or life-threatening conditions affecting your permanent residence?  Yes  No
7. Are you a recently-separated service member who has been unemployed for 27 or more weeks in the previous 12 months?  Yes  No
8. Are you an offender who is currently incarcerated or who has been released from incarceration?  Yes  No
9. Are you lacking a high school diploma or equivalent certificate?  Yes  No
10. Are you a low-income individual?  Yes  No

### Complete this section if you fall within one of the populations eligible for additional services.

Congress and the Secretary of Labor have designated certain additional populations eligible to receive services from Disabled Veterans' Outreach Program (DVOP) Specialists.

11. Are you a veteran between the ages of 18 and 24?  Yes  No
12. Are you a Vietnam-era veteran?  Yes  No
13. Are you a member of the US military and are currently being treated at a medical treatment facility (MTF)?  Yes  No
14. Are you the spouse or family caregiver of such wounded, ill, or injured Service Member?  Yes  No
15. Are you transitioning from active military service?  Yes  No

### Military Documents

16. Do you have a DD214 in your possession?  Yes  No
17. Do you need assistance in requesting military documents?  Yes  No

*\* Provision of this information is strictly voluntary and the information will be kept confidential. The purpose of this information is strictly for determining priority of service to individuals with disabilities. Refusal to provide the information will not subject anyone to adverse treatment. The information will be used only in accordance with the law.*