



Bay Consortium Workforce Development Board

Policy Number: 18-01

Effective Date: August 3, 2018

Title: Unlikely to Return to Previous Occupation or Industry Policy

PURPOSE

To establish criteria for the Unlikely to Return aspect of eligibility for the WIOA Dislocated Worker program.

REFERENCE

Workforce Innovations and Opportunity Act of 2014 Sec. 3(15)(A)(iii)

POLICY

Evaluation and documentation of the status known as “Unlikely to Return to Previous Occupation or Industry” is required by the Local Workforce Development Area. The evaluation may be based on a review of a number of criteria below:

1. Job seeker cannot perform in previous industry or occupation, due to a medically documented injury/disability.
2. Qualification for industry and occupation have changed and the job seeker is no longer qualified.
3. The industry and occupation is no longer represented by any employers in the region.
4. Obsolete individual skills in the occupation make the individual non-competitive for further employment in the occupation/industry.
5. Finding future employment in occupation will require skills upgrading.
6. Other issues may be evaluated and considered but must be specified in the case record.

Documentation is required to determine that the job seeker is unlikely to return to the previous occupation. Documentation should include the Unlikely to Return Analysis form developed by Bay Consortium Workforce Development Board, but can also include an employer letter, disability confirmation, local area demand occupation determination, skills assessment documentation and any other that substantiates the status of unlikely to return to occupation.

The fact that a job is no longer available to the job seeker does not mean that the job seeker cannot return to the industry or occupation at another place of employment. This evaluation is used when the job seeker is unlikely to return to the entire occupation or industry, not just the job or employer.