

## DEFINITIONS

### A

**Able Bodied Adult Without Dependents (ABAWD):** For SNAP E&T purposes, a physically and mentally fit individual who is between the ages of 18-49, inclusively, who is not exempt from work registration, is not pregnant, or is not receiving SNAP benefits for a dependent child(ren) under age 18. An individual classified as an ABAWD by DSS may only receive SNAP benefits for 3 months in a 36-month period unless they are working at a place of employment at least an average of 80 hours a month, or completing the required number of workfare hours at an approved site.

**Active Resource Coordination (ARC):** ARC is identifying targeted activities/programs designed to assist customers with multiple challenges to employment by increasing access to services. A participant's assessment results may assist in determining such targeted activities/programs. ARC is the first step in the Integrated Resource Team.

**Adult Education and Literacy (AEL) Activities:** Programs, activities, and services that include adult education, literacy, workplace adult education and literacy activities, family literacy activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training.

**Adversely affected employment:** Employment in a firm or appropriate subdivision, if workers of the firm or appropriate subdivision are certified as eligible to apply for the TAA program.

**Adversely affected worker (AAW):** An individual including employer who because a lack of work in adversely affected employment, has been totally or partially separated from such employment.

**Affirmative Action:** An active effort to improve the employment or educational opportunities of minority groups and women.

#### **Age:**

**Age 75 or Older: For SCSEP,** The SPARQ database tracks participant age from the date of birth provided on the Participant Application form at initial enrollment (this Most-in-Need characteristic will change as the person ages).

**Old Enough for Social Security Retirement but Not Eligible to Receive:** For SCSEP, A person may qualify for Social Security retirement benefits at age 62; however, if the person is 62 or older and does not have sufficient wage credits to qualify for his/her SS retirement, then he/she would meet this.

**Agent State:** A state, other than a liable state, that provides benefits or services to a trade affected worker. A state can be both an agent state and a liable state.

**Agricultural employer:** is any employer who owns or operates a farm, ranch, processing establishment, cannery, gin, packing shed or nursery, or who produces or conditions seed, and who either recruits, solicits, hires, employs, furnishes, or transports any migrant or seasonal farmworker or any agricultural employer as described in 29 U.S.C. 1802(2).

**Alternative Trade Adjustment Assistance (ATAA):** Provides wage subsidies to TAA individuals who accept new full time employment within 26 weeks of their separation at a lower wage they were making at their adversely affected employment, and meet the eligibility criteria.

**American Job Center/ One-Stop Career Center:** The key access point for individuals seeking employment and skill development as well as business customers seeking skilled workers. Throughout the WIOA Policy Manual, these access points are usually referred to as One-Stop Career Centers or job service offices. South Dakota One-Stop Career Centers are a proud partner of the American Job Center Network.

**Approved training or TAA Approved Training:** A Training program that meets the criteria for approval training 618.610

**Assistive Technology:** Provision of information on assistive technology and accommodation that Staff can be use are available to assist employers who will be employing individuals with disabilities.

**At Risk Homeless:** *See Homeless, At Risk*

## B

### **Basic Skills Deficient:**

For Title I Youth: someone who computes or solves problems, reads, writes, or speaks English at or below the eighth-grade level on a generally accepted standardized test;

For Title I Youth or Adult: someone unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society.

*For SCSEP: See "Low Literacy Skills"*

**Bona Fide Occupational Qualification (BFOQ):** An employment decision or request based on age, sex, national origin or religion is based on a finding that such characteristics are necessary to the individual's ability to perform the job in question. Since a BFOQ is an exception to the general prohibition against discrimination on the basis of age, sex, national origin, or religion, it must be interpreted narrowly in accordance with the EEOC regulations. If the LO comes across this in their job orders, please contact the CO for guidance.

**Bona Fide Job Order:** A real or genuine job order made by the employer in good faith without fraud or deceit for a currently vacant job opening the employer intends to fill.

## C

**Career Pathway:** A combination of rigorous and high-quality education, training, and other services that:

- Aligns with the skill needs of industries in the economy of the State or regional economy involved;
- Prepares an individual to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships registered under the National Apprenticeship Act;
- Includes counseling to support an individual in achieving the individual's education and career goals;
- Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;

- Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable;
- Enables an individual to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential; and
- Helps an individual enter or advance within a specific occupation or occupational cluster.

**Career Pathway Development:** Efforts by a DLR Local Office to develop and implement career pathways within the local area by aligning the employment, training, education, and supportive services that are needed by adults and youth, particularly individuals with barriers to employment within their service area.

**Career and Technical Education:** Organized educational activities that offer a sequence of courses that:

- Provides individuals with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current or emerging professions;
- Provides technical skill proficiency, an industry- recognized credential, a certificate, or an associate degree; and
- May include prerequisite courses (other than a remedial course) that meet the requirements of this subparagraph; and
- Include competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation- specific skills, and knowledge of all aspects of an industry, including entrepreneurship, of an individual.

**Carry-over:** service carry-over from one fiscal year to the next fiscal year; only applies at fiscal year-end.

**Clearance order:** job order that is processed through the clearance system under the Agricultural Recruitment System (ARS).

**Clearance system:** orderly movement of U.S. job seekers as they are referred through the employment placement process by a job service office. This includes joint action of local job service offices in different labor market areas and/or States.

**Compulsory Age:** In South Dakota, mandatory school attendance is required for individuals between 6 and 18 years of age. This requires enrollment in an approved or accredited school. SDCL 13-27-3 provides that a child shall be excused from school attendance if the child is otherwise provided with alternative instruction. Under WIOA Sec. 129(a)(5) in order to attain consistency with compulsory school attendance laws across the nation, the priority will be for the individual to attend school regularly. SDCL 13-27-1

**Covered Person:** eligible for Veterans Priority of Service. *See Veteran Priority of Service.*

**Cultural Barriers:** An individual who perceives him or herself as possessing attitudes, beliefs, customs, or practices that influence a way of thinking, acting or working that may serve as a hindrance to employment.

## D

**Dakota Roots:** Dakota Roots matches out-of-state job seekers with Job Advisors in the One Stop to assist individuals in the job-seeking process. Job Advisors will notify job seekers of openings available to meet their career interests.

**Date of Participation:** Represents the first day, following a determination of eligibility (if required), that the individual begins receiving a service funded by the program (see definition of participant).

**De-obligation:** the downward adjustment of previously incurred obligations when closing services, terminating services, or during the performance of a service as a result of a contract funds review that determines excess funds are available.

**Disability:** Reference Americans with Disabilities Act of 1990 (42 U.S.C. 12102) for more details

1. A physical or mental impairment that substantially limits one or more major life activities of such individual;
2. A record of such an impairment; **OR**
3. Being regarded as having such an impairment

**For SCSEP:** The SCSEP (Section 641.140 participant has a disability attributable to mental or physical impairment, or a combination of mental and physical impairments, that results in substantial functional limitation in one or more of the following areas of major life activity:

- Self-care
- Receptive and expressive language
- Learning
- Mobility
- Self-direction
- Capacity for independent living
- Economic self-sufficiency
- Cognitive function
- Emotional Adjustment

**Disabled Veteran:**

- A veteran who is entitled to compensation (or would be entitled if not for getting military retired pay), or
- A person who was discharged or released from active duty because of a service related disability.

**Disabled Veterans' Outreach Program (DVOP):** Veterans' specialist who serves only those veterans and eligible persons most in need of intensive services to overcome barriers to employment. The Secretary of the US Department of Labor may modify who DVOPs may assist. (Veterans Program Letter 03-14).

**Dislocated Worker:** To determine eligibility for financial assistance as a Dislocated Worker, refer to the definitions listed on page 2 of Eligibility and Priority of Service [Policy 4.1](#).

**Distance Learning:** Distance education is a formal learning activity where students and instructors are separated by geography, time, or both for the majority of the instructional period. Distance learning materials are delivered through a variety of media including, but not limited to, print, audio recording, videotape, television broadcasts, computer software, web-based interaction, and other online technologies. Teachers

support distance learners through communication via mail, telephone, e- mail, or other web-based technologies or software.

**Drop Out:** See *Not Attending School/School Drop Out*

## E

### **Eligible Person (Spouse of Veteran)**

You must be the spouse of:

- A person who died of a service-related disability, or
- any active member of the Armed Forces who, at the time of application for assistance, has been listed for 90 or more days as;
  1. Missing in action, or
  2. Captured in the line of duty by a hostile force, or
  3. Forcibly detained or interned in the line of duty by a foreign government or power.
- Any person who has a total permanent disability resulting from a service-related disability, or
- A veteran who died having a total permanent disability resulting from a service-related disability.

Some veterans and eligible persons may be able to receive services from a specially trained Veteran's Specialist, a Disabled Veterans Outreach Program (DVOP) Specialist.

To qualify for DVOP services the veteran must meet the definition of veteran found in section V and have at least one of the following Significant Barriers to Employment (SBE):

- Special disabled or disabled veterans entitled to compensation ( or who, but for the receipt of military pay, would be entitled to compensation) , or
- Were discharged or released from active duty because of a service-connected disability, or
- Have a filed pending claim for service-connection with the VA.
- A homeless person, as defined by the amended McKinney-Vento Homeless Assistance Act.
- A recently separated service member (separated within the past 36 months) who has been unemployed for 27 or more weeks in the previous 12 months.
- An offender, 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.

### **Eligible Person (for DVOP services)**

To be eligible for DVOP services, the eligible person must also have at least one of the following Significant Barriers to Employment (SBE):

- Must be homeless as defined by the McKinney-Vento Homeless Assistance Act; or
- An offender who is currently incarcerated or has been released from incarceration; or
- Is lacking a high school diploma or equivalent certificate; or
- Is a low-income individual as defined by WIOA.

Additional categories as authorized by the U S Department of Labor Secretary that qualify for DVOP services include:

- Veterans between the ages of 18 to 24.
- Transitioning Service Members in need of intensive services, or
- Wounded, ill, or injured service members receiving treatment at a military treatment facility or a warrior transition unit, and the spouses and family members of such wounded, ill, or injured service members.
- Vietnam-Era Veterans as defined in VPL 03-19.

**Employment Plan:** An Employment Plan identifies the desired services of the one stop system and develops an action plan. For more information, review Employment Plan [Policy 5.1](#). In some federal laws and in SDWORKS, the Employment can be referred to as the “Individualized Employment Plan” or the “IEP.”

**English as Second Language (ESL) Services:** Services provided to a participant whose primary language is not English. These services are designed to increase the English language proficiency of the participant so they can attain training and/or employment success.

**English Language Learner:** An individual who has limited ability in speaking, reading, writing or understanding the English language and also meets at least one of the following two conditions (a) his or her native language is a language other than English, or (b) he or she lives in a family or community environment where a language other than English is the dominant language spoken.

**Entered Employment:** The aggregate count of individuals who went to work by means of direct or indirect services.

**ETA Regional Office:** U.S. Department of Labor Employment and Training Administration (ETA) regional office whose staff monitor programs, services, and benefits provided under the Workforce Innovation and Opportunity Act. Agency personnel also provide technical assistance, as appropriate, to State and local governments and other organizations who deliver services and benefits under these programs for the benefit of our job seeker and business customers.

**Equal Opportunity:** Freedom from discrimination (as employment) on the basis of race, color, creed, religion, national origin, and sometimes sexual orientation.

**Ex-Offender:** An individual who is being or has been subject to any stage of the criminal justice process for committing a status offense or delinquent act or requires assistance in overcoming barriers to employment resulting with a record of arrest or conviction. Ex-offenders include individuals with pending charges and court dates.

**Exhausting Temporary Assistance for Needy Families (TANF) within 2 Years:** Applicable if the participant, at program entry, is within 2 years of exhausting lifetime eligibility, regardless of whether receiving these benefits at program entry.

## F

**Facilitated Self-Service:** Occurs when staff assists an individual with accessing readily available information that does not require an assessment by the staff member of the participant’s skills, education, or career objectives. This includes workforce information and information only self-services or facilitated self-services. An individual who only receives this level of services is a reportable individual who is excluded from the performance measures.

**Featured Job:** A job AJC staff believes would be of high interest to applicants based on one or more of the following factors: salary, employer reputation, benefits offered, mass hiring, or other favorable elements.

**Federal Contractor:** A company that does business with the federal government valued at \$100,000 or more annually.

**Federal Bonding Program (FBP):** Established by U.S DOL to protect employers against employee fraud and dishonesty for "at-risk," job seekers. The bonds cover the first six months of employment. There is no cost to the job applicant or the employer.

**Felon Friendly:** An employer who expresses an interest in hiring persons with a criminal record. Employers self-disclose this information and it does not need to be verified. AJC staff must not solicit this information.

**Foster Child:** A participant, at program entry, who is currently in foster care or has left foster care after their 16<sup>th</sup> birthday but before their 18<sup>th</sup> for kinship guardianship or adoption. A participant is considered *aged out* if they have not yet reached age 25 and have left foster care at any time after their 18<sup>th</sup> birthday. Note: This does not apply to individuals who have been reunified, these individuals would be considered *not* in foster care.

**Frail:** For SCSEP, this recognizes people determined to be functionally impaired because the person is not able to perform at least two activities of daily living without substantial human assistance, including verbal reminding, physical cueing, or supervision; or at the option of the project director, is unable to perform at least three such activities without such assistance or due to cognitive or mental impairment, requires substantial supervision because the individual conducts himself or herself in a manner that poses a serious health or safety hazard to the individual or another individual.

## G

**General Assistance:** In South Dakota this does not always mean actual "cash." This could refer to county assistance, local city assistance, PARS, etc. for things like rent and utilities.

**Gross Wages:** the total amount an employee is paid before any taxes, deductions, insurance premiums, and other payroll withholding (see also: Net Pay).

## H

**H-2A visa:** Permits foreign workers entry into the U.S. for temporary or seasonal agricultural work. There are several requirements of the employer in regard to this visa. The H-2A temporary agricultural program establishes a means for agricultural employers who anticipate a shortage of domestic workers to bring foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature.

**H-2B visa:** Permits employers to hire foreign workers to come temporarily to the U.S. and perform temporary non-agricultural services or labor on a one-time, seasonal, peak load or intermittent basis.

**High Poverty Area:** A Census tract; a set of contiguous Census tracts; Indian Reservation, tribal land, or Native Alaskan Village; or a county that has a poverty rate of at least 30 percent as set every five years using American Community Survey five-year data.

**High School Drop Out:** See *Not Attending School/School Drop Out*.

**Homeless Participant, Homeless Children and Youths, or Runaway Youth:**

- (a) Lacks a fixed, regular, and adequate nighttime residence; this includes a participant who:
  - (i) is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - (ii) is living in a motel, hotel, trailer park, or campground due to a lack of alternative adequate accommodations;
  - (iii) is living in an emergency or transitional shelter;
  - (iv) is abandoned in a hospital; or
  - (v) is awaiting foster care placement;
- (b) Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or camping ground;
- (c) Is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work; or
- (d) Is under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (i.e., runaway youth).

This definition does not include a participant imprisoned or detained under an Act of Congress or State law. A participant who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless.

**Homeless, at-risk:** For SCSEP, Considered along with actual homelessness as a single factor of most in need. At risk for homelessness means an individual is likely to become homeless and the individual lacks the resources and support network to obtain housing. The risk must be real and imminent.

**Homeless Veterans' Reintegration Program:** The purpose of the Homeless Reintegration Program (HVRP) is to provide services to assist in reintegrating homeless veterans into meaningful employment within the labor force. Grantees of HVRP provide an array of services utilizing a case management approach that directly assists homeless veterans as well as provide critical linkages for a variety of supportive services available in their local communities. HVRP is "employment focused." Training, job development, career counseling, resume preparation, and job placement are among the services provided. Supportive services such as clothing, provision of or referral to temporary, transitional, and permanent housing, referral to medical and substance abuse treatment, and transportation assistance are also provided to meet the needs of the homeless veterans.

**Housing and Urban Development (HUD):** Administers programs that provide housing and community development assistance. The Department works to ensure fair and equal housing opportunity for all.

**American Indian and Native American Programs:** The programs are designed to support employment and training activities in order to develop more fully the academic, occupational and literacy skills; make individuals more competitive in the workforce; and promote economic and social development in accordance with the goals and values of such communities. These programs are administered in a way that not only meet regulatory requirements, but also in ways that are consistent with the traditional cultural values and beliefs of the people they are designed to serve.

**IEP can mean:**

**Individualized Education Program (IEP):** Is a plan used to ensure that students with disabilities eligible to receive special education and related services under the Individuals with Disabilities Education Act receive services tailored to meet their unique needs in the least restrictive environment to prepare them for further education, employment, and independent living (34 C.F.R. §300.340).

**Individual Employment Plan:** *See Employment Plan*

**Industry or Sector Partnership:** a workforce collaborative, convened by or acting in partnership with a State board or local board, that— (A) organizes key stakeholders in an industry cluster into a working group that focuses on the shared goals and human resources needs of the industry cluster and that includes, at the appropriate stage of development of the partnership— (i) representatives of multiple businesses or other employers in the industry cluster, including small and medium-sized employers when practicable; (ii) 1 or more representatives of a recognized State labor organization or central labor council, or another labor representative, as appropriate; and (iii) 1 or more representatives of an institution of higher education with, or another provider of, education or training programs that support the industry cluster; and (B) may include representatives of— (i) State or local government; (ii) State or local economic development agencies; (iii) State boards or local boards, as appropriate; (iv) a State workforce agency or other entity providing employment services; (v) other State or local agencies; (vi) business or trade associations; (vii) economic development organizations; (viii) nonprofit organizations, community-based organizations, or intermediaries; (ix) philanthropic organizations; (x) industry associations; and (xi) other organizations, as determined to be necessary by the members comprising the industry or sector partnership.

**Information Only Services:** provide readily available information that does not require an assessment by a staff member of individual skills, education or career objectives.

**Internet Protocol (IP) or Uniform Resource Locator (URL):** An IP address is a numerical label assigned to each computer. An IP address is used to host or network interface identification and to locate addresses. For instructions on locating an IP address contact a DLR LPS.

**Integrated Resource Team (IRT):** The IRT meeting brings together those members representing the targeted activities and programs identified through the ARC process. This team should also include any natural supports of the participant and most importantly, the participant. This team works together with the participant to strategize on how services can be coordinated to reach and maintain the participant's employment goal. The membership of an IRT is likely to change as the participant's needs and short-term goals change.

**Integrated Service Delivery (ISD):** is the delivery of workforce services in a manner that aligns and braids the resources of One Stop and community partners to seamlessly address the training and employment needs of customers – job seekers and businesses. ISD utilizes Active Resource Coordination and Integrated Resource Teams to reduce duplicative and administrative activities in favor of a positive customer experience.

**In-School, Alternative School:** A participant who has not received a secondary diploma or its recognized equivalent and is attending an alternative high school or an alternative course of study *approved* by the local educational agency (LEA) whether full or part-time, or is between school terms and is enrolled to return to school. (PIRL) **Note:** *AEL instruction for GED or remedial education would not be considered in-school, Alternative School.*

**In-School, Postsecondary School:** A participant who has received a secondary diploma or its recognized equivalent and is an attending postsecondary school or program, whether full or part-time, or is between school terms and is enrolled to return to school. (PIRL)

**In-School, Secondary School or Less:** A participant who has not received a secondary school diploma or its recognized equivalent and is attending any primary or secondary school, including elementary, intermediate, junior high school, whether full or part-time, or is between school terms and intends to return to school. (PIRL)

**Interstate clearance order:** agricultural job order for temporary employment (employment on a less than year-round basis) describing one or more hard-to-fill job openings, which a job service office uses to request recruitment assistance from other job service offices in a different State.

**Intrastate clearance order:** agricultural job order for temporary employment (employment on a less than year-round basis) describing one or more hard-to-fill job openings, which a job service office uses to request recruitment assistance from other job service offices within South Dakota.

## J

**Job Corps:** National program that operates in partnership with States and communities, One Stop Centers, and other youth programs to provide academic, career, and technical education, service learning, and social opportunities primarily in a residential setting for low income youth. The objective of Job Corps is to support responsible citizenship and provide young people with the skills they need to lead to successful careers that will result in economic self-sufficiency and opportunities for advancement in in-demand industry sectors or occupations, the Armed Forces or to enrollment to postsecondary education.

**Job Development:** The process of securing a job interview with a public or private employer for a specific participant for whom the ES office has *no suitable opening* on file. **Job Development Contact (JDC):** Used as a marketing tool on behalf of a specific individual to an employer when no job order exists in SDWORKS.

**Job Information:** Means information derived from data compiled in the normal course of ES activities from reports, job orders, and applicants.

**Job Opening:** An immediate job vacancy that an employer expects to fill with qualified worker(s) within 60 days. Means a single job opportunity for which the One Stop has on file a request to select and refer participants.

**Job Order:** A structured record of an employer's requirement for filling vacant positions with qualified workers. Document containing material terms and conditions of employment relating to wage, hours, working conditions, worksite and other benefits, submitted by an employer. Job order records must be retained for a minimum period of three years.

**Job Placement:** The hiring by a public or private employer of an individual referred by job service, provided that the SDWORKS AJC completed the following steps:

- a) Prepared a job order form prior to referral, except in the case of a job development contact on behalf of a specific applicant;

- b) Made prior arrangements with the employer for the referral of an individual or individuals;
- c) Referred an individual who had not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker;
- d) Verified from a reliable source, preferably the employer that the individual is now working for the employer.

**Job Ready:** Refers to individuals who do not require further education or training to perform work that is available in their labor market.

**Job Notification:** A function of SDWORKS to alert a job seeker of a potential employment opportunity. A notification does not rise to the level of an individual service. It does not trigger participation into Wagner-Peyser or extend participation.

**Job Referral:** Is the act of bringing to the attention of an employer a participant or group of participants who are available for specific job openings for a potential job **and** the record of the referral in SDWORKS. This may be done via telephone or electronically. Job Referral means the same thing as “referral to a job” and is **not** the same things as simply providing an individual with information about the job opening.

**Job Search Activities:** The act of looking for employment, due to unemployment, underemployment, discontent with a current position, or a desire for a better position. Actives include resumes, interviews, applications, and follow-up letters.

**Jobs for Veterans State Grants (JVSG):** The JVSG program provides funds to the States to exclusively serve eligible veterans, eligible spouses, and perform outreach to employers. JVSG is a staffing grant which funds two positions, the Disabled Veteran Outreach Program (DVOP) Specialist, and the Local Veterans’ Employment Representative (LVER).

**Journey-Level Mentor:** An individual who has sufficient skill and knowledge of the trade or craft, either through formal apprenticeship or through practical on-the-job experience and training, to be recognized by his/her employer as being qualified to perform the work of the trade or craft. Use of the term may also refer to a mentor, technician, specialist or other skilled worker.

**Justice Involved Individual:** A citizen who have been previously incarcerated and are returning to the community.

**Justification Note:** This is a case note in SDWORKS regarding a service which explains the need for the service. The note can include eligibility items, analysis of need, recommendations from the Employment Specialist, amount of funding determination, service contribution to the individual employment goal, etc.... Specific requirements for justification notes can be found in the policy for the corresponding service.

## K

## L

**Labor Dispute:** A controversy between an employer and its employees regarding the terms (such as conditions of employment, fringe benefits, hours or work, tenure, wages) to be negotiated during collective bargaining, or the implementation of already agreed upon terms.

**Labor Market Information (LMI):** The body of knowledge that describes the relationship between labor demand and supply. This includes identification of the socio-economic factors that influence employment, training, and business decisions, such as worker preparation, educational program offerings and related policy decisions within national, State, Substate, and local labor market areas. The DLR Labor Market Information Center (LMIC) is part of the Policy and Public Affairs Division.

**Layoff:** The temporary suspension, partial reduction, or permanent termination of employment of an employee. A temporary suspension is when an employee is expected to return to their employer of record. A partial reduction is when an employee is working reduced hours for the same employer. More commonly, a layoff impacts a group of employees (collective **layoff**) for business reasons, such as personnel management or downsizing an organization. What constitutes a layoff:

- **Mass Layoff or Closure** - Layoffs at one or more companies where the dislocation from each company impacts 50 or more workers. If at least one company has a large layoff of 50 or more workers, companies with smaller layoffs may be included if the primary layoff caused or contributed to the smaller layoffs. Or if a WARN notice has been filed.
- **Substantial Layoff** - Any reduction in force which is not the result of a plant closing and results in employment loss at a single site of employment during any 30 day period for at least 50 employees (excluding regular employees working less than 20 hours per week)
- **Industry-Wide Layoffs** - Multiple company layoffs from companies in the same industry
- **Community Impact** - Multiple small dislocations occurring over a period of up to twelve months that have significantly increased the total number of unemployed individuals in a designated regional or local workforce area.

**Liability State:** With respect to a trade affected worker making claims for TAA program benefits, the state whose state UI law is the applicable state law. A state can be both an agent state and a liability state.

**Limited English Proficiency (LEP):** Individual whose primary language for communication is not English and who has a limited ability to read, speak, write, and/or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing).

**Local Job Service Office order holder:** job service office that initiated the job order. This will be the location at which referrals (workforce) will be working.

**Local Veterans' Employment Representative (LVER):** Veterans' specialists who conduct outreach to employers 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. They facilitate employment, training and placement services furnished to veterans within the SDWORKS system. (Veterans' Program Letter 03-14).

**Lockout (SDWORKS):** The temporary closing of a business or the refusal by an employer to allow employees to come to work until they accept the employer's terms.

**Long-Term Unemployed:** An individual who has been available to work and actively seeking employment for a period of 27 weeks without securing employment. This definition is not related to someone's eligibility for or receipt of Reemployment Assistance (RA) benefits.

**Low Employment Prospects:** For SCSEP, The likelihood an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with low employment prospects have a significant barrier to employment such as the following:

- Homeless
- Limited English Proficiency (LEP)
- Low Literacy Skills
- Disability
- Lacking substantial employment history
- Lacking basic skills

Residing in socially and economically isolated rural or urban areas where employment opportunities are limited.

**Low Literacy Skills:** For SCSEP, participant computes or solves problems, reads, writes, or speaks English at or below the eighth-grade level or at a level necessary to function on the job, in the family, or in society.

**Lower Living Standard Income Level (LLSIL):** The term “lower living standard income level” means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

## M

**Mass recruitment:** High volume recruitment to fill a large number of positions, often in a very short time frame.

**Migrant and Seasonal Farmworker (MSFW):** Migrant: A seasonal farmworker whose agricultural employment requires travel to a job site such that the farmworker is unable to return to a permanent place of residence within the same day; and dependents of the migrant farmworker. Seasonal: Employed in the last 12 months in farm work of a seasonal or other temporary nature (Labor is performed on a seasonal basis where, ordinarily, the employment pertains to or is of the kind exclusively performed at certain seasons or periods of the year and which, from its nature, may not be continuous or carried on throughout the year). Excludes full-time students. Farmwork: The cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities.

*(Refer all potential MSFW to the NFJP program)*

**Migratory Children:** A child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, in order to obtain, or accompany such parent or spouse, in order to obtain, temporary or seasonal employment in agricultural or fishing work—

1. has moved from one school district to another;
2. in a State that is comprised of a single school district, has moved from one administrative area to another within such district; or
3. resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity.

## N

**National Career Readiness Certificate (NCRC):** A certificate issued by ACT® at four levels: Bronze, Silver, Gold, and Platinum. A National Career Readiness Certificate is earned by achieving a level score of

3 or better on all three WorkKeys assessments: Workplace Documents, Graphic Literacy, and Applied Math. The NCRC measures and certifies the essential work skills needed for success in jobs across different occupations.

**National Farmworker Jobs Program:** is a nationally-directed, locally-administered program of services for migrant and seasonal farmworkers and their dependents. Career Services and Training grant recipients help farm workers and their dependents acquire necessary skills to either stabilize or advance in their agricultural jobs or obtain employment in new industries (See also **Migrant Seasonal Farmworker**). (Source: [US DOL ETA – Agriculture](#))

**Net Pay:** is the amount of pay remaining for issuance to an employee after deductions have been taken from the individual's gross wages. This is the amount paid to each employee on pay day.

**North American Industry Classification (NAICS):** The standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

**North American Industry Classification System (NAICS Code):** 4 to 6 digit industry code. When entering the NAICS Code into SDWORKS on a participant's first, second and third quarters prior to participation, if the participant had multiple jobs, use the job where the highest gross wages were earned.

**Not Attending School/School Drop Out:** A participant who is not within the age of compulsory school attendance, and is no longer attending school and has not received secondary school diploma or its recognized equivalent.

**Not Attending School/Secondary School Graduate or Equivalent:** A participant who is not attending any school and has either graduated from secondary school or has attained a secondary school equivalency.

**Not Attending School/Within Age of Compulsory School Attendance:** A participant who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter and has not received a secondary school diploma or its recognized equivalent.

## O

**Objective Assessment:** Requirement for youth eligibility. An assessment of the academic levels, skill levels, and service needs of each participant. Assessments are to include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes (including assessments for non-traditional jobs), supportive service needs, and developmental needs in order to identify appropriate services and career pathways for each participant.

**Obligation Voucher:** a promise of funds and a withdraw from budget for a specified amount of money. This is approved by the job service manager. Obligate when funds are promised.

**Occupational Information Network Code (O\*NET Code):** 8-digit occupational code. When entering the O\*NET Code into SDWORKS on a participants most recent employment prior to participation, if the participant had multiple jobs, use the job where the highest gross wages were earned. The database also provides the basis

for Career Exploration Tools, a set of valuable assessment instruments for workers and students looking to find or change careers.

**Older Individuals:** Age 55 and older.

**Older Worker Friendly:** An employer who expresses an interest in hiring persons age 55 or over, i.e. Senior Community Service Employment Program (SCSEP). Employers self-disclose this information and it does not need to be verified.

**Other Public Assistance Recipient:** An individual who is receiving or has received cash assistance or other support services from one of the following sources in the last six months prior to participation in the program: General Assistance (GA) (State/local government) or Refugee Cash Assistance (RCA). This does not include foster child payments.

**Out-of-Home Placement:** A youth who has been placed out of their home by a court proceeding.

## P

**Participant:** A reportable individual who has received services other than self-service and information-only services, after satisfying all applicable programmatic requirements for the provision of services, such as eligibility determination.

**Participant Individual Record Layout (PIRL):** Specifies specific data elements, how those elements are defined and how those elements are reported for all core programs.

**Payment Voucher:** The service has been performed. Correct documentation has been provided in the form of a receipt, invoice, timesheet, etc... Actual expenditure of funds requested from The Administrative Services Division ("Fiscal").

**Placement:** The hiring by a private or public employer of an individual referred by the LO for a job or interview; provided that the LO completed **all** of the following steps:

- Prepared a job order posting prior to referral, except in the case of a job development contact on behalf of a specific participant.
- Made prior arrangements with the employer for the referral of a participant.
- Referred an individual who had not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker.
- Verified from a reliable source, preferable by the employer, that the individual had started employment.
- Appropriately recorded the placement.

**Postsecondary Education:** Education received after secondary school.

**Pregnant or Parenting Youth:** A youth aged female who is pregnant, or an individual (male or female) who is the custodial or non- custodial parent for one or more dependents under age 18.

**Program Year:** The one-year period beginning on July 1<sup>st</sup> and ending on June 30<sup>th</sup>.

**Provider Determination:** For SNAP E&T purposes, a provider determination is a determination by an E&T provider that an E&T participant is not a good fit, or is ill-suited, for a particular E&T component.

**Public Assistance:** For the purposes of WIOA, a public assistance recipient includes an individual (or an individual who is part of a family) currently receiving cash payments for which eligibility is determined by a needs or income test, or who in the past 6 months has received assistance through (any of the following programs):

- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI); or
- Any other State or local income-based cash public assistance

*Note: SNAP is not considered public assistance under WIOA (it is an indicator of low-income status).*

## R

**Re-Employment Services (RES):** A federally mandated Reemployment Assistance Objective assisting RA claimants to gain employment quickly, eliminate potential overpayments and realize cost savings for Unemployment Insurance Trust Fund.

**Reemployment Assistance:** The Reemployment Assistance (RA) program provides benefits to individuals who have lost their job through no fault of their own, and meet other eligibility requirements. The RA Division is not public assistance or an entitlement program. RA benefits are intended to provide temporary, partial wage replacement to individuals, until they find other employment. In order to be eligible for benefits individuals must have some attachment to the workforce. This is usually determined by the amount of wages an individual has earned, and whether they are able and available to work. The program is funded by employers through payroll taxes. Workers do not contribute to this program.

**Registered Apprentice:** A worker at least 16 years of age, except where a higher minimum age standard is otherwise fixed by law, who is employed to learn an apprenticeable occupation as provided under approved standards of apprenticeship through U.S. DOL.

**Registered Apprenticeship Program (RAP):** Registered Apprenticeship Programs (RAP) use an innovative work-based “earn-and-learn” model that combines on-the-job learning with related technical instruction. Features of RAP include flexibility, opportunities for immediate wages, and emphasis on partnerships, making it an effective strategy for the workforce system. RAPs provide immediate employment for job seekers and offer advancement along a career path.

**Registration:** The process for collecting information, including identifying information to support a determination of eligibility. The information may be collected through methods that include electronic data transfer, personal interview, or an individual’s application.

**Related Instruction:** An organized and systemic form of instruction designed to provide the apprentice with the knowledge of the theoretical and technical subjects related to the apprentice’s occupation. Such instruction may be given in a classroom, through occupational or industrial courses, or by correspondence course of equivalent value, electronic media or other forms of self-study approved by the Registration Agency. Related Instruction is the component of every Registered Apprenticeship that supports the On-the-Job Learning.

**Reportable individual:** An individual who has taken action that demonstrates intent to use program services and who meets specific reporting criteria of the program, including:

- (1) Individuals who provide identifying information;
- (2) Individuals who only use the self-service system; or
- (3) Individuals who only receive information-only services or activities.

For Registered Apprenticeship grants, a *reportable individual* means is an individual who is enrolled in a Registered Apprenticeship Program (RAP) that was developed with apprenticeship grant funds (built by the DLR RAP Team) and is, therefore; impacted by the grant, but who does not receive individual financial support through the apprenticeship grant.

**Rural Area:** An area not designated as a metropolitan statistical area by the [U.S. Census Bureau](#), segments within metropolitan counties identified by codes 4 through 10 in the Rural-Urban Commuting Area (RUCA) system, and RUCA codes 2 and 3 for census tracts are larger than 400 square miles and have a population density of fewer than 30 people per square mile

## S

**Scam Job Order:** A fraudulent job order posted by an illegitimate employer in an attempt to defraud an individual (job seeker).

**School Dropout:** An individual who is no longer attending school and who has not received a secondary school diploma or its recognized equivalent. This does not include individuals who have dropped out of postsecondary education. Individuals within the state's compulsory school attendance age are not school dropouts, but may meet the eligibility barrier of "a youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent completed school year calendar quarter."

**SDWORKS:** A one-stop online resource for job seekers and employers in South Dakota. Job seekers can search for jobs, create resumes, and find education and training opportunities. Employers can find candidates, post jobs, and search labor market information.

**Seasonal Farmworker:** See definition of MSFW

**Secondary Education:** Education that leads to a high school diploma or high school equivalency.

**Section 504 Plan:** Section 504, of the Rehabilitation Act, 29 U.S.C. § 794, is a federal law that protects students with disabilities that interfere with their ability to learn or access school programs from discrimination by schools receiving Federal financial assistance. Under Section 503 students are entitled to receive a free and appropriate education comparable to students without disabilities. A Section 504 Plan can be used to get reasonable accommodations for an individual with a disability that falls outside of the 13 disability categories required under IDEA, or who does not need special education and related services. A 504 plan outlines how the individual's specific needs will be met through accommodations, modifications and other services.

**Self-Service:** Occurs when individuals independently access any workforce development system program's information and activities in either a physical location, such as a one-stop center resource room or partner agency, or remotely via the use of electronic technologies. Self-service does not uniformly apply to all virtually accessed services. This includes workforce information and information only self-services or facilitated self-

services. An individual who only receives this level of services is a reportable individual who is excluded from the performance measures.

**Senior Community Services Employment Program (SCSEP):** The Senior Community Service Employment Program (SCSEP) is funded under Title V of the Older Americans Act and is administered by DLR. DLR develops partnerships with non-profits and government agencies to provide individuals, age 55 or older, the opportunity for a valuable part-time work experiences and other training activities to become competitive in today's workforce.

**Service Provider:** Is a broad term that is not program specific but that refers to any entity carrying out training for or providing services to participants of WIOA's core programs. A subset of the service providers carrying out Title I programs are ETPs, organizations determined by a State to be eligible to provide programs of training services to WIOA Title I core program participants. Service providers also include AEFLA-eligible providers offering adult education and literacy services and providers of services to VR participants.

**Severe Disability:** For SCSEP, A severe, chronic disability attributable to mental or physical impairment that (a) is likely to continue indefinitely and (b) results in substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and/or economic self-sufficiency. The severe disability must be documented by a physician.

**Severely Limited Employment Prospects:** For SCSEP, The likelihood an individual will not obtain employment without the assistance of the SCSEP or another workforce development program. Persons with low employment prospects have a significant barrier to employment such as the following:

- Homeless
- Limited English Proficiency
- Low Literacy Skills
- Disability
- Lacking substantial employment history
- Lacking basic skills
- Residing in socially and economically isolated rural or urban area where employment opportunities are limited

**Significant Staff Involvement:** in a workforce setting is any assistance provided by staff beyond facilitated self-services regardless of the length of time spent assisting the individual during such assistance. Significant staff involvement includes a staff member's assessment of a participant's skills, education, or career objectives in order to achieve any of the following:

- Assist participants in deciding on appropriate next steps in the search for employment, training, and related services, including job referral;
- Assist participants in assessing their personal barriers to employment; or
- Assist participants in accessing other related services necessary to enhance their employability and individual employment related needs.

An individual who has received a Staff Assisted service that includes Significant staff involvement, is a participant and is included in performance.

**Single Parent:** Applicable if the participant, at program entry, is single, separated, divorced or a widowed individual who has primary responsibility for one or more dependent children under age 18. This includes single pregnant women.

**Special Disabled Veteran**

- A veteran who is entitled to compensation (or would be entitled if not for getting military retired pay) for a disability rated 30 percent or more, or
- A person who was discharged or released from active duty because of a service-connected disability.

**Staff-Assisted Service:** Is a service that creates a participation, extends common measures, and involves significant staff involvement.

**Substance Use Disorder:** Occurs when the recurrent use of alcohol and/or drugs causes clinically significant impairment, including health problems, disability, and failure to meet major responsibilities at work, school, or home.

**Suitable Employment:** With respect to a worker, work of a substantially equal or higher skill level than the worker's past affected employment and wages for such work that are not less than 80 percent of the workers average weekly wage. Part time, temporary, short-term or threatened employment is not suitable employment.

**Supplemental Nutrition Assistance Program (SNAP):** An economic assistance program administered by SD Department of Social Services. Formerly known as food stamps, SNAP assists low-income families and individuals purchase the food they need to stay healthy while they work to regain financial independence. SNAP benefits are not intended to cover all of a person or family's food costs but will help with purchasing the food needed for a nutritionally adequate diet.

**Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T):** A person who has been found eligible for SNAP benefits by the Department of Social Services and has been deemed "able to work", and thus participate in employment and training activities. Appropriate work activities are then assigned to the SNAP E&T participant by DLR staff using case management techniques.

**Supplemental Security Income (SSI):** SSI is a Federal income supplement program funded by general tax revenues (not Social Security taxes) that makes monthly payments to people who have low income and few resources. It is designed to help aged, blind, and people with disabilities, who have little or no income; and it provides cash to meet basic needs for food, clothing, and shelter.

**Supply Job Service Office:** job service office within South Dakota (intrastate) that will advertise the job order and potentially supply the workforce to fill the job order.

**Supply State:** job service office outside of South Dakota (interstate) that will advertise the job order and potentially supply the workforce to fill the job order.

**Social Security Disability Insurance:** Social Security pays benefits to people who can't work because they have a medical condition that is expected to last at least one year or result in death. Certain family members of disabled workers can also receive money from Social Security.

**"Spidered" Job Order:** SDWORKS collects (or "spiders") jobs from a variety of national and local employer websites to populate the jobs database. Spidering makes it easy for job seekers to quickly search the database to find many more jobs in a single site.

**Strike:** A temporary concerted stopping of work or withdrawal of workers' services, as to compel an employer to agree to workers' demands or in protest against terms or conditions imposed by an employer.

**Substantial Layoff:** See "Layoff"

## T

**Temporary Assistance for Needy Families (TANF):** a temporary public-assistance work program administered by the Department of Social Services and the Department of Labor and Regulation. It is designed to provide temporary assistance and economic self-sufficiency for children and families. TANF is a needs-based program for families with children under age 18 (or under age 19 if the child is in high school) who need financial support because of:

- a death of a parent,
- a parent is absent from the home, or
- physical or mental incapacity or unemployment of a parent.

**Temporary or Seasonal Position:** employment on a less than year-round basis and is not contemplated to continue indefinitely. Generally, seasonal employees are hired by companies that need extra help during a particular season, such as harvest season.

**Ticket to Work:** A voluntary program designed to help Social Security beneficiary recipients return to work, enter a new line of work, or enter the workforce for the first time.

**Title III:** See *Wagner-Peyser Act*.

**Trade Adjustment Act (TAA):** is a federal program that provides a path for employment growth and opportunity through aid to US workers who have lost their jobs as a result of foreign trade.

**Training and Employment Guidance Letter (TEGL):** Additional policy guidance provided to states from the United States Department of Labor Employment and Training Administration.

**Training and Employment Notice (TEN):** Announcements of general information from the United States Department of Labor Employment and Training Administration.

**Transitioning Service Member:** A transitioning service member is an individual in active duty status (including separation leave) who registers for employment services and is within 24 months of retirement or 12 months of separation.

## U

**Underemployed:** Individuals may meet one of the following categories:

1. Individuals employed less than full-time who are seeking full-time employment
2. Individuals who are employed in a position that is inadequate with respect to their skills and training
3. Individuals who are employed and **low-income**
4. Individuals who are employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment.

**Unemployed Individual:** An individual who is not currently employed, but is seeking employment, makes specific effort to find a job, and is available for work. (*Source: PIRL*)

**Unemployment Insurance:** See *Reemployment Assistance*.

**Uniform Resource Locator (URL) code or Internet Protocol (IP) address:** The address that other computers enter in to access your computer across the Internet. This is a four- section number, such as 123.456.78.90.

## V

**Veteran:** To receive veteran services you must have served on active duty for:

- More than 180 days and have been discharged or released without a dishonorable discharge;
- At least one day and have been discharged or released because of a service-connected disability;
- At least one day and have been called to active duty under Title 10 during a period of war;
- At least one day in a campaign for which a campaign badge is authorized; or
- Discharged or released from active duty by reason of sole survivorship.

See Also “Covered Persons”

### **Veteran Priority of Service**

- The definition for priority of service is different than the definition for a qualifying veteran. Under this definition the term “veteran” means a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable. Active service includes full-time Federal service in the National Guard or Reserve component. This definition of “active service” does not include full-time duty performed strictly for training purposes (such as weekend or annual training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities (such as natural disasters).
- 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. Priority means that veterans and eligible spouses are entitled to precedence over non-covered persons for services. This means that a veteran or eligible spouse either receives access to a service earlier in time to a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.
- **Eligible Spouse for Priority of Service** The definition for eligible spouse for priority of service is the same definition used for Eligible Person.

**Veteran Friendly:** An employer who expresses an interest in hiring Veterans. Employers self-disclose this information and it does not need to be verified. AJC staff must not solicit this information.

**Vocational Rehabilitation (VR):** Vocational Rehabilitation (VR) is a federal-state program that provides individualized vocational rehabilitation and supportive services to assist eligible individuals with disabilities to get and keep jobs compatible with their skills and abilities. The Vocational Rehabilitation Programs in South

Dakota are in the Department of Human Services and are programs in the Division of Rehabilitation Services and the Division of Service to the Blind and Visually Impaired. The South Dakota Vocational Rehabilitation Programs have field offices in eleven locations and a Rehabilitation Center for the Blind in Sioux Falls.

## W

**Wagner-Peyser Act:** The Wagner-Peyser Act of 1933 established a nationwide system of public employment offices known as the Employment Service. The Act was amended in 1998 to make the Employment Service part of the One-Stop services delivery system.

**WEX Fringe Costs:** When paying for a Work Experience (WEX), this amount is additional funds taken from WIOA funds to pay for FICA and Workers' Compensation.

**WEX Wage Costs:** See "Gross Pay."

**WIOA Title I Youth Participant:** A reportable individual who has satisfied all applicable program requirements for the provision of services, including:

1. Eligibility determination
2. Objective assessment: Basic Skills, Occupational skills, prior work experience, employability, interests, aptitudes, support service needs, developmental needs.
3. Development of an Employment Plan
4. Received one of the 14 youth elements

**WorkKeys Assessments:** The three proctored tests (Workplace Documents, Graphic Literacy, and Applied Math) that are needed to earn a National Career Readiness Certificate.

**WorkKeys Curriculum:** The skill development coursework that includes placement quizzes, lessons, practice questions, and level quizzes used to prepare for the WorkKeys Assessments.

**WorkKeys Curriculum Placement Quiz:** Identifies the starting point in WorkKeys Curriculum and can be used to determine skill level for WIOA.