

APPROVAL DATE: 02/02/12
APPROVED BY: Betty Baker, WIB Chair



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF SOCIAL SERVICES**

POLICY NO: 37-08
TO: Service Providers
EFFECTIVE: February 2, 2012 (Revised March 27, 2015)
SUBJECT: Stopgap Employment

REFERENCES:

- Workforce Investment Act (WIA) Eligibility Technical Assistance Guide (RWIAD14-4)
- Workforce Investment Act (WIA) Section 134(d)(3)(A)(ii)
- Workforce Investment Act (WIA) Title 1 Section 134(d)
- 20 Code of Federal Regulations Part 652, WIA Final Rule Section 663.230
- 20 Code of Federal Regulations Part 652, WIA Final Rule Section 663.220(b)
- Employment Development Department (EDD) Directive WSD13-12, Subject: 70 Percent LLSIL and Poverty Guidelines for 2014

PURPOSE:

The purpose of this directive is to provide guidance in determining if temporary employment of a worker who has been laid off as a result of a closure or mass layoff meets the criteria in Sec. 134(d)(3)(A)(ii) "who are employed, but who are determined by a one-stop operator to be in need of more intensive services in order to obtain or retain employment that allows for self-sufficiency".

BACKGROUND:

An eligible dislocated worker remains eligible for assistance after dislocation as long as the individual has not been employed in a job since dislocation and prior to application that paid a wage defined by the local board as a self-sufficient dislocated worker wage

or leading to self-sufficiency or providing more than stopgap employment. (See local Policy No: 15-08 Self Sufficiency.)

POLICY:

Stopgap employment means work an individual does only because he/she has lost the customary work for which his/her training, experience or work history qualifies him/her (see “underemployed”). Employment would be considered “stopgap” if the salary were substantially below the salary of the individual’s primary occupation and/or if he/she is working substantially under the skill level of his customary occupation. There may be times when stopgap employment provides a self-sufficient wage, e.g., contract employment or employment obtained through a temporary employment services agency. Such determination about whether or not an individual’s employment since dislocation is stopgap employment must be made on a case by case basis and take into consideration an individual’s personal, family, financial, and employment situation. **(Individuals engaged in stopgap employment are reported as employed.)**

Once an individual is registered as a dislocated worker, the individual remains a dislocated worker until exited from the program regardless of employment status or earnings. If a participant becomes employed in a full time, permanent job that pays a wage defined by the local board as self-sufficient or leading to self-sufficiency, the participant may continue to be served in the program until he/she is formally exited from the program.

ACTION:

The Administrative Entity for the WIB and its service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

INQUIRIES:

Inquiries should be addressed to WIB Admin at wibadmin@co.slo.ca.us.

REVISION HISTORY:

DATE	DETAILS
03/27/2015	<i>Updated policy section from TAG – RWSD 14-4 which identifies a change from prior TAG to state that individuals engaged in stopgap employment are now to be reported as employed.</i>