

Authorization: Dan Haun

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Policy/Program Development Interim Manager

Issue date: 8/24/15

Topic: Revised Policy

Subject: 2.3 Authority to Work Legally in the United States

Applies to (check all that apply):

<input checked="" type="checkbox"/>	Vocational Rehabilitation - All Staff
<input type="checkbox"/>	Vocational Rehabilitation - Executive Team
<input type="checkbox"/>	Vocational Rehabilitation - Administration
<input type="checkbox"/>	Vocational Rehabilitation - Branch Managers
<input checked="" type="checkbox"/>	Other (please specify) Contracted job developers
<input checked="" type="checkbox"/>	Other (please specify) Collaborators, Interested Parties

Message:

2.3 Authority to Work Legally in the United States

Authority to work refers to an individual’s legal ability to obtain employment in the United States. The goal of vocational rehabilitation services is to help people with disabilities find employment. Having documents to show authority to work legally enables an applicant to participate in vocational rehabilitation services and achieve an employment outcome.

Policy

Identification is Not Required to Apply for Service

Identification is not a requirement for application. Oregon Vocational Rehabilitation does not require the applicant to show that they live or reside in the State by requiring documents that would, under State or local law, or practical circumstances, result in a duration of residency (Proposed rules § 361.42(c)(1) 4/16/2015).

Lack of identification is not sufficient reason to deny or delay application or proceeding to eligibility determination.

Authority to Work Documentation

A participant in vocational rehabilitation services cannot benefit from services (i.e. achieve an employment outcome) if s/he is unable to work legally. This requires that the applicant obtain and show evidence of employment authorization and identity as required by the United State Citizenship and Immigration Services.

Oregon Vocational Rehabilitation shall document that the prospective participant or applicant is authorized to work legally in the United States.

Oregon Vocational Rehabilitation shall retain a copy of the documents in the participant's file.

Proof of identity and authority to work must be completed and provided to Oregon Vocational Rehabilitation by end of the eligibility period. The eligibility period is the 60 days between application and the eligibility determination.

Participant Responsibilities

The participant must cooperatively work with the counselor to secure valid and authentic documentation used for the employment authority or identification by end of the eligibility period.

Assistance

Oregon Vocational Rehabilitation may purchase identification if it is needed, no other resource is available, and the lack of identification substantially impedes the participant's ability to work in a timely manner.

The purchase of identification is an assessment cost. It may be incurred both prior to, and post eligibility determination or during plan implementation. It may be appropriate to assist the individual to acquire identification if it is needed by medical professionals for the purpose of eligibility determination assessment.

Information and Referral

If the individual who applies for Vocational Rehabilitation services is not possible to establish identity and authority to work in the United States, staff shall provide the individual with information and referral to other agencies for services.

If you have any questions about this information, contact:

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