

Chapter 1
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Chapter 1 OVERVIEW OF EMPLOYMENT SERVICES

1.01 Introduction

The purpose of the Department of Veterans Affairs (VA) Vocational Rehabilitation and Employment (VR&E) Program is “to provide for all services and assistance necessary to enable Veterans with service- connected disabilities to become employable and to maintain suitable employment.” (Title 38, United States Code (U.S.C.) 3100) The program’s intent is to help Veterans reach suitable employment and/or an independent living goal, when applicable. VA provides training or education to Veterans when needed in order for them to reach a rehabilitation goal. However, in some cases employment services alone are sufficient to help the Veteran reach suitable employment. M28R, Part VI discusses employment services both as a standalone service and as the final element of a program of rehabilitation through long-term or short-term training.

VA will provide employment services to Veterans when all of the following conditions are met:

- VA has provided the Veteran a comprehensive evaluation.
- VA has found the Veteran entitled to Chapter 31 benefits under 38 Code of Federal Regulations (CFR) 21.51, or he/she meets the criteria under 38 CFR 21.47, in which he/she is a current or previous participant in a rehabilitation program.
- VA has identified the Veteran’s need for employment services, and the case manager has verified that the needed services are available.
- The Veteran’s Individualized Written Rehabilitation Plan (IWRP) or Individualized Employment Assistance Plan (IEAP) includes the identified services.

1.02 References and Resources

Laws:	38 U.S.C. 3100
	38 U.S.C. 3104
	38 U.S.C. 3117
Regulations:	38 CFR 21.47
	38 CFR 21.51
	38 CFR 21.73
	38 CFR 21.84

38 CFR 21.88
38 CFR 21.196
38 CFR 21.250
38 CFR 21.362
38 CFR 21.364

1.03 Definitions

a. Individualized Employment Assistance Plan (IEAP)

An IEAP is a signed agreement between the Employment Coordinator (EC) or Vocational Rehabilitation Counselor (VRC) and Veteran. An IEAP specifies all necessary services to assist the Veteran obtain and maintain suitable employment. The IEAP also identifies VA's responsibilities, the Veteran's responsibilities, service providers, evaluation criteria and the period of services.

b. Suitable Employment

Suitable employment is employment that is compatible with the Veteran's disability conditions and is consistent with his/her interests, aptitudes and abilities.

c. Entry into Employment

38 CFR 21.72(a)(2) explains that the services to be provided may include training the Veteran to the level generally recognized as necessary for entry into employment in a suitable occupation. It further explains that Veterans will be provided training in a particular degree, diploma or certificate necessary for entry into the planned vocational goal.

For example, if it is determined that the most appropriate vocational goal for a Veteran is Social Worker, the Veteran will be provided training for a master's degree in Social Work, which is regarded as necessary for employment in that occupation. However, if the most appropriate vocational goal is determined to be Case Aide or Case Worker, the Veteran will instead be provided training for a bachelor's degree in Social Work.

d. Period of Employment Services

This refers to the period of time during which services will be provided to the Veteran. Services may include counseling, medical, social and other placement and post-placement assistance to be provided to a Veteran under an IEAP.

e. Program of Employment Services

This refers to an IEAP developed for a Veteran whose eligibility is limited to employment services only per 38 U.S.C. 3117.

f. Job Development

Job development refers to a comprehensive, professional set of services to assist the Veteran in obtaining suitable employment and does not merely consist of soliciting jobs on behalf of the Veteran.

1. Benefits of Job Development

VA staff must engage in job development activities to increase the likelihood that Veterans with disabilities will obtain suitable employment with cooperating employers. Successful job development is advantageous to both employers and Veterans as follows:

- Benefit to Employers

Referral of suitably trained and well-prepared Veterans who have received the necessary support services, such as adjustment counseling and job modification, benefits employers directly through the referred Veterans' long-term productivity.

- Benefit to Veterans

Successful referrals of Veterans result in suitable employment of the Veterans and contribute to an ongoing benefit by establishing a network of employers who are invested in employing Veterans referred by the VR&E Division.

2. Aspects of Job Development

Job development enhances the Veteran's job readiness by assisting with the following activities:

- Referral to Job Clubs

VR&E Divisions may establish a job club or refer Veterans to existing job clubs in the local area. A job club operates in a structured setting where groups of Veterans work together on various activities that may enhance their job search and develop their job-seeking skills.

- Access to Job Lab Resources

The VR&E's job lab resources include access to computers with Internet capabilities, which allow Veterans to conduct an online job search online and access the VetSuccess.gov website.

1.04 VR&E Division Responsibility

VR&E responsibility does not end when the Veteran completes his/her education, training or job placement. VR&E is responsible for assisting the Veteran until he/she satisfactorily adjusts to employment and the Veteran's condition meets the requirements for declaring him/her rehabilitated under 38 CFR 21.283.

a. Case Management

Success of a Veteran's rehabilitation depends on the final phase of his/her program. This period requires effective caseload management to ensure Veterans are provided with time-sensitive necessary services efficiently. Procedures outlined in M28R, Part VI will help case managers carry out these responsibilities. The case manager must ensure the Veteran receives tangible employment services. The case manager may personally provide those services or coordinate them through a Disabled Veterans Outreach Program (DVOP) specialist or contractor.

b. Monthly Contact and Case Review

The case manager will maintain, at minimum, monthly contact with the Veteran to ensure that each Veteran is progressing according to the employment plan. The case manager may provide these services or coordinate them through a DVOP specialist or a contractor. During these contacts, a case manager should assess the following:

- Is the Veteran following the job-seeking steps outlined in his/her IEAP?
- Do the Veteran's circumstances require changes such as services to be provided, service providers, period of services, etc., in his/her IEAP? If changes are required, the case manager and the Veteran must work hand in hand to develop the changes using the appropriate evaluation criteria.
- Simultaneously, the case manager must review the Veteran's case to ensure new and current information is updated in the Veteran's records.

c. VR&E Staff Members' Responsibilities

1. VR&E Officer and Assistant VR&E Officer

- Supervises or delegates authority for contracting employment services as necessary.
- Implements established Memorandum of Understanding (MOU) and VR&E national employment agreements such as Disabled American Veterans (DAV).
- Ensures appropriate workload distribution for effective case management and timely services to Veterans.
- Conducts special case reviews. The VR&E Officer will personally, or with the assistance of a delegated team, review cases in which the Veteran has not obtained employment after an extensive and thorough job search. The Officer and/or reviewers will seek to identify and address obstacles to the success of the Veteran's current plan or recommend redeveloping the plan.

2. Case Manager

A Vocational Rehabilitation Counselor (VRC) or an Employment Coordinator (EC) may be assigned case management responsibilities for Veterans receiving employment services. Thus, the term "case manager" may refer to either a VRC or EC. The responsibilities for this case management include, but are not limited to:

- Developing the IEAP.
- Authorizing and coordinating the provision of services and assistance to the Veteran.
- Authorizing the delivery of goods and services, including reasonable accommodation.
- Providing direct services such as development of job-seeking skills and job development.
- Conducting the required monthly follow-up contacts with Veterans and monthly reviews of a Veteran's progress toward completing his/her vocational goal.

1.05 Veteran's Responsibilities

The Veteran shares responsibility in completing the vocational objectives of

his/her IWRP, achieving job readiness, and completing the job-seeking objectives of his/her IEAP within the period of services as specified in his/her rehabilitation plan.

Case managers must work closely with the Veteran to ensure the Veteran's satisfactory conduct and cooperation while receiving employment services. This includes the collaborative participation of the Veteran in the development of his/her IEAP. The case manager will inform the Veteran of available services to assist him/her in obtaining suitable employment and explain the Veteran's responsibilities in the successful implementation of his/her rehabilitation plan.

If a Veteran has difficulty completing the objectives outlined in the IEAP, the case manager must help the Veteran resolve any difficulties that may impede his/her job search. If the difficulties cannot be resolved, the case manager must ensure that the Veteran is provided with re-evaluation and/or re-development of his/her employment plan.