

# WEST VIRGINIA CODE: §18-10A-12

## **§18-10A-12. Vocational evaluation and work adjustment program for disadvantaged individuals.**

The division, under the direction of any federally mandated board, commission, or council appointed by the Secretary of the Department of Commerce, is authorized and directed to cooperate with the federal government in providing vocational evaluation and work adjustment services to disadvantaged individuals.

“Vocational evaluation and work adjustment services” include, as appropriate in each case, such services as:

- (a) A preliminary diagnostic study to determine that the individual is disadvantaged, has an employment handicap, and that services are needed;
- (b) A thorough diagnostic study consisting of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, cultural, social, and environmental factors which bear on the individual’s handicap to employment and rehabilitation potential including, to the degree needed, an evaluation of the individual’s personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services needed;
- (c) Services to appraise the individual’s patterns of work behavior and ability to acquire occupational skills, and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance, including the utilization of work, simulated or real, to assess and develop the individual’s capacities to perform adequately in a work environment;
- (d) Any other goods or services provided to a disadvantaged individual, determined (in accordance with regulations of the federal government) to be necessary for, and which are provided for the purpose of, ascertaining the nature of the handicap to employment and whether it may reasonably be expected the individual can benefit from vocational rehabilitation services or other services available to disadvantaged individuals;
- (e) Outreach, referral, and advocacy; and
- (f) The administration of these evaluation and work adjustment services.

As used in this section, the term “disadvantaged individuals” means: (1) Disabled individuals as defined in §18-10A-1(5) of this code; (2) individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment; and (3)

other members of their families when the provision of vocational rehabilitation services to family members is necessary for the rehabilitation of the individual described in subdivision (1) or (2) above.