§ 21.47 Eligibility for employment assistance.

(a) Providing employment services to veterans eligible for a rehabilitation program under chapter 31. Each veteran, other than one found in need of a program of independent living services and assistance, who is otherwise currently eligible for and entitled to participate in a program of rehabilitation under chapter 31 may receive employment services. Included are those veterans who:

1. Have completed a program of rehabilitation services under chapter 31 and been declared rehabilitated to the point of employability;

2. Have not completed a period of rehabilitation to the point of employability under chapter 31, but:

   (i) Have elected to secure employment without completing the period of rehabilitation to the point of employability; and
   (ii) Are employable; or

3. Have never received services for rehabilitation to the point of employability under chapter 31 if they:

   (i) Are employable or employed in a suitable occupation;
   (ii) The veteran has filed a claim for vocational rehabilitation or employment assistance;
   (iii) The veteran meets the criteria for eligibility described in § 21.40; and

(b) Veteran previously participated in a VA vocational rehabilitation program or a similar program under the Rehabilitation Act of 1973, as amended. A veteran who at some time in the past has participated in a vocational rehabilitation program under chapter 31 or a similar program under the Rehabilitation Act of 1973 as amended, and is employable is eligible for employment services under the following conditions even though he or she is ineligible for any other assistance under chapter 31:

1. The veteran is employable in a suitable occupation;

2. The veteran has filed a claim for vocational rehabilitation or employment assistance;

3. The veteran meets the criteria for eligibility described in § 21.40; and