

Crater Regional Workforce Development Board

Title: Priority of Service	Policy #: 2023-10-01
Replaces: Priority of Service (#2018-24)	Effective Date: 10/11/2023

Purpose

The purpose of this policy is to provide guidance and establish the procedures regarding priority of service for the WIOA Title I Adult program. These guidelines are not to be considered as eligibility requirements but as procedures established to ensure that priority is given to veterans, spouses, and low-income as stated in the policy. This policy also incorporates Veterans' Preference requirements within an overall priority structure that applies to WIOA funding received.

References

- PUBLIC LAW 113-128 Workforce Innovation & Opportunity Act (WIOA)
- 03-03 Priority of Service
- VWL #08-09, Priority of Service for Veterans
- Training and Employment Guidance Letter WIOA NO. 3-15
- Policy 600-01 Veterans' Priority of Service
- VWL #18-04 Priority of Service

Background

As mandated by federal law, priority of service to receive individualized career and training services under the WIOA Title I Adult program will be given to veterans and their spouses, recipients of public assistance, other low-income individuals and individuals who are basic skills deficient. The Poverty Guidelines and the Lower Living Standard Income Level, as published by the U.S. Department of Labor annually, are to be used in determining low-income status, in addition to the low-income individual definition found in the guidance referenced above

Definitions

Priority of Service – is when an eligible individual receives access to a service earlier in time than an individual not in a priority group *or*, if the resource is limited, the person in the priority group receives access to the service instead of a person outside any priority group.

WIOA Priority Groups - The WIOA Title I Adult program has a statutory priority of service criteria for individuals who are:

- Recipients of income-based public assistance; or
- Other low income individuals; or
- Individuals who are basic skills deficient.

Other Definitions:

Adult – a person who is 18 years of age or older.

Basic Skills Deficient: WIOA Sec 3(5)(B)—The term “basic skills deficient” means, with respect to an individual—who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

Covered Person – is a Veteran or eligible spouse who met the required Priority of Service criteria.

Eligible Spouse – the spouse of any of the following:

Any veteran who died of a service-connected disability

Any veteran who has a total disability resulting from a service-connected disability

Any veteran who dies while a disability so evaluated was in existence

Any member of the Armed Forces serving active duty who, at the time of application for assistance, is listed, pursuant to section 556 of title 37 and regulations issued by the Secretary concerned, in one or more of the following categories and has been so listed for a total of more than 90 days:

Missing in action,

Captured in the line of duty by a hostile force, or

Forcibly detained or interned in the line of duty by a foreign government or power.

Low -Income Individuals – The term “low-income individual” means an individual who—

Is in a family with total family income that does not exceed the higher of—

the poverty line; or

70 percent of the lower living standard income level;

Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a (2));

Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

Is a foster child on behalf of whom State or local government payments are made; or

Is an individual with a disability whose own income meets the income requirement of clause (1), but who is a member of a family whose income does not meet this requirement;

Is a youth who lives in a “high poverty area” defined in WIOA sec. 3(36)

Individuals with Barriers to Employment:

Displaced homemakers

Low-income individuals

Indians, Alaska Natives, and Native Hawaiians

Individuals with disabilities including youth who are individuals with disabilities

Older individuals (55 and older)

Ex-offenders

Homeless individuals (as defined in the Violence Against Women Act), or homeless children and youths (as defined in the McKinney-Vento Homeless Assistance Act)

Youth who are in, or have aged out of, the foster care system.

Individuals who are English language learners, individuals who have low levels of literacy, and individuals facing substantial cultural barriers

Eligible migrant and seasonal farmworkers

Individuals within two years of exhausting lifetime eligibility under part A of title IV of the Social Security Act (TANF)

Single parents (including single pregnant women)

Long-term unemployed individuals

Such other groups as the Governor involved determines to have barriers to employment

[WIOA Sec. 3(24)]

Non-Covered Person - Refers to an individual who isn't a veteran or eligible spouse, and who may or may not be in the WIOA priority groups.

Recipients of Income-based Public Assistance –These are individuals who receive, or, in the past six months received, or are a member of a family that is receiving or in the past six months has received, assistance through one or more of the following:

Supplemental Nutrition Assistance Program

Temporary Assistance for Needy Families

Supplemental Security Income

State or local income-based public assistance

Veteran – a person who served in the active military, naval or air service, and who was discharged or released under conditions *other than* dishonorable.

Policy

It should be noted that the term "priority of service" refers to a preferential ranking. It conveys the idea that higher consideration should be applied to a given population, such as recipients of public assistance, low-income individuals, individuals who are basic skills deficient, and Veterans and eligible spouses, including widows and widowers, when providing individualized and training services. Priority for receipt of individualized career and training services will be given to customers who are residents of the Crater Regional Workforce Development Area in the order described below, regardless of funding levels.

Veteran

Federal Law requires that priority treatment be given to covered persons under the Jobs for Veterans Act This means that priority of service applies for veterans and some spouses who meet the eligibility requirements for participation in any DOL-funded training program. Priority of service for the covered person applies to all services and activities provided within the center, not just individualized and training services. Veteran priority applies to all Department of Labor- funded job training programs. Each veteran discharged, other than those dishonorably discharged, are eligible for priority of service, along with their spouses, if they meet the definition in the section "Definitions" (B) of this policy.

Military earnings are not to be included when calculating income for veterans or transitioning service members.

Adult Program

Adults who fall under one of the following categories listed below must be given priority in regards to individualized and training services.

Family Income at or below the Poverty Line or 70% of the Lower Living Standard Income Level (LLSIL), whichever is greater;

SNAP, TANF or SSI recipient within the last 6 months;

Individuals who are basic skills deficient: reading or performing math skills below the 9th grade level;

An individual with a disability whose own income meets the income requirements of item above, but who is a member of a family whose income does not meet the requirement.

Priority of Service Client Sequence

As described in Training and Employment Guidance Letter (TEGL) 03-2015, below is the order of priority. The Service Provider shall document and record each determination of a participant receiving or not receiving services, due to priority of service. The facts used to make the decision must be recorded and made available upon request.

Priority of Service for Adult Funds

Veterans and eligible spouses who meet WIOA Adult low-income priority (section B), or individuals who are basic skills deficient;

Those who meet WIOA Adult low-income priority;

Veterans and eligible spouses who do not fall under the WIOA low income priority;

Those who are not veterans, eligible spouses or WIOA low income. An individual who does not provide income verification automatically falls within this category.

Priority of Service for Dislocated Worker Funds

Covered individuals with respect to Veterans priority will receive priority over non-covered individuals for the provisions of services funded under the dislocated worker funding stream.

Priority of Service for Youth Funds

Priority must be given to any covered individuals with respect to Veterans priority who qualify under the WIOA youth eligibility requirements.

Priority of Service Procedure for the Adult Program

Priority of service for adults is applied for those that have been determined eligible and enrolled. (Not all eligible individuals may be enrolled). Priority of service for adults shall be used to determine the order of precedence for the delivery of individualized career and training services IF there is a waiting list for that service. The adult service provider shall determine on a monthly basis if there is a waiting list for any service based upon factors such as budget balances and enrollment levels, in consultation with the workforce board director. The

determination shall include a list of which services are wait- listed and be posted in each center. Anyone not meeting priority who has already been receiving a wait-listed service prior to that posting shall be allowed to complete the service. The adult service provider shall maintain the attached priority of service status form in each adult file to support provision of wait-listed services to only those who meet priority of service.

Service to the Community

WIOA does not either prohibit or require local residency for an individual to receive services from the local area. As stated above, priority for receipt of individualized career and training services will be given to customers who are residents of the Crater Regional Workforce Development Area. Non-residents may be served as funding allows.

COMPLIANCE

The Service Provider shall track the results of who received and who did not receive training services due to priority of service criteria. Information used to make the determination needs to be addressed in the data. This information shall be given to Board Staff upon request, for monitoring purposes. A Priority of Service Verification Form (Attachment A) will be completed, a copy placed in the applicant's file.