

Bay Consortium Workforce Development Board

Policy Number: 02-02
Effective Date: November 2, 2002
Revised Date: February 5, 2020
Title: WIOA Priority of Service Policy

PURPOSE

To create a Priority of Service Policy that establishes a process and priority ranking system which gives priority for services to veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with WIOA adult funds.

REFERENCES

- WIOA Section 134(b)(3)(E)
- Jobs for Veterans Act (JVA) of 2002
- 20 CFR Parts 676, 677, and 678 - Workforce Innovation and Opportunity Act; Joint Rule for Unified and Combined State Plans, Performance Accountability, and the One-Stop System Joint Provisions; Final Rule
- TEGL 19-16 (Guidance on delivering services under the Adult and Dislocated Worker Programs under WIOA Title I and individuals served by the ES program, as amended by WIOA Title III under the WIOA Final Rule.
- VBWD Policy 600-01
- VWL 18-04

BACKGROUND

WIOA mandates, under the Adult Formula funds, priority of service be given to those who are veterans and their eligible spouses, those who are basic skills deficient, those who receive public assistance, and those who are low income individuals, therefore all services under the umbrella of individualized services shall be first granted to those cohorts identified above.

DEFINITIONS

For the purpose of this policy, the following definitions apply.

- A. **Basic Skills Deficient**
An 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. (1)
- B. **Eligible Spouse of a Veteran** ("covered person") (2)
Those who meet one of the criteria below are eligible for priority of services in WIOA Adult,

Dislocated and Youth programs are those spouses of:

1. Any veteran who died of a service-connected disability;
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - A service member missing in action;
 - A service member captured in line of duty by a hostile force; or
 - A service member forcibly detained or interned in line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or
4. Any veteran who died while a disability was in existence.

C. Low-Income

An individual that meets one of the four criteria below qualifies as low-income:

1. Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the supplemental nutrition assistance program (Food Stamps), temporary assistance for needy families' program, supplemental security income program, or state or local income-based public assistance.
2. In a family with total family income that does not exceed the higher of the following:
 - the poverty line; or
 - 70 percent of the Lower Living Standard Income Level.
3. A homeless individual; or
4. An individual with a disability, whose own income does not exceed the income requirement, but is a member of a family whose total income does. (3)

D. Public Assistance

An individual that receives federal, state, or local government cash payments. (4)

E. Veteran

For the purpose of providing Priority of Service in the WIOA Adult Program and WIOA Dislocated Worker Program eligibility, "veteran" is defined as a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or Reserve component, other than full time duty for training purposes.(5)

LOCAL 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 and Veterans and eligible spouses, including widows and widowers, when providing individualized and training services. (6)

A. 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.

B. Adult Program

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

1. Family Income at or below the Poverty Line or 70% of the Lower Living Standard Income Level (LLSIL), whichever is greater;
2. SNAP, TANF or SSI recipient within the last 6 months;
3. Be Low Income Home Energy Assistance Program, Subsidized Child Care Benefits, or Refugee Assistance recipient;
4. Homeless; or
5. Individuals with a felony conviction (Dishonorable Discharge is excluded from this category);
6. An individual with a disability whose own income meets the income requirement of item (1) above, but who is a member of a family whose income does not meet the requirement.

C. 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.

1. Veterans and eligible spouses who meet WIOA Adult low-income priority (section B), or individuals who are basic skills deficient;
2. Those who meet WIOA Adult low-income priority;
3. Veterans and eligible spouses who do not fall under the WIOA low income priority;
4. Those who are not veterans, eligible spouses or WIOA low income. An individual who does not provide income verification automatically falls within this category.

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 Board Staff upon request, for monitoring purposes. A Priority of Service Verification Form (Attachment A) will be completed, a copy placed in applicant’s file and a copy filed in a separate notebook for monitoring purposes.

- (1) WIOA § 3(5)
- (2) 38 U.S.C. 101(2)
- (3) WIOA § 3(36)

- (4) WIOA § 3(50)
- (5) WIOA § 3(53); TEGL 10-09, Revision 2
- (6) WIOA § 134(c)(3)(E); TEGL 03-15



Attachment A

Priority of Service Verification Form

Purpose: This form is to be used to document the Priority of Service category of a Title I Adult participant.

Participant Name: _____

Application Date: _____

Please check only one category that applies:

	1. Veterans or eligible spouses who are also recipients of public assistance, low income individuals or basic skills deficient.
	2. Individuals who are recipients of public assistance, other low-income individuals or individuals who are basic skills deficient.
	3. Veterans and eligible spouses who are not recipients of public assistance, not low-income individuals, or who are not basic skills deficient.
	4. Priority populations as established by the BCWDB WIOA Priority of Service Policy (Local Policy-Section B)
	5. All other populations not included in WIOA Priority Groups.

I verify that I have followed the “Priority of Service” Policy:

Staff Signature: _____

Date: _____