

Priority of Services Policy

IowaWORKS-Loess Hills Region 13

Dated: October 30, 2015

TOPIC: Priority of Service WIOA Title I Adult Program

References: Workforce Innovation and Opportunity Act (WIOA) NPRM Workforce Development Field Information Memo 15-07, dated August 31, 2015

Purpose: This policy discusses priority of service requirements for Workforce Innovation and Opportunity Act (WIOA) Title I Adult program for both Basic Career Services and Individualized Career Services.

Background: Under the Workforce Investment Act, Priority of Service was only applied if funding was limited, under the Workforce Innovation and Opportunity Act (WIOA) that provision was removed.

Substance: Proposed rule 680.650 re-affirms that Veterans and eligible spouses continue to receive priority of service for all DOL funded programs amongst all participants. A Veteran must still meet program eligibility criteria. Program eligibility and priority considerations must be made first and then the veteran's priority is applied. These requirements were not affected by the passage of WIOA and must still be applied in accordance with guidance previously issued by DOL. WIOA Title I Section 134(c)(3)(E) requires that priority of service be given to "recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services...and training services." Section 194(1) requires that services be provided to those who can benefit from "and who are most in need of such opportunities."

"Priority of Service" status is established at the time of eligibility determination for WIOA Title I Adult registrants and does not change during the period of participation. Priority does not apply to the dislocated worker population. For purposes of this policy guidance, Priority of Service applies to Adults. Youth priority of service will be addressed separately.

All individuals must meet eligibility requirements. Priority of Service must be given to participants that fall into one of the below priority categories. During circumstances of limited funding, participants will be funded by category.

Category 1

Veterans and Eligible Spouses For the purpose of providing Priority of Service in the WIOA Adult Program, Veteran means 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 Page 88 Reserve component, other than full time duty for training purposes.

Eligible spouses who meet one of the criteria below are eligible for priority of services in WIOA Adult programs:

- Any veteran who died of a service-connected disability;

- 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:
 - Missing in action;
 - Captured in line of duty by a hostile force; or
 - Forcibly detained or interned in line of duty by a foreign government or power;
- Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs;
- Any veteran who died while a disability, as indicated in the 3rd bullet above, was in existence.

Category 2

Recipients of Public Assistance

Federal, State or local government cash payments for which eligibility is determined by a needs or income test.

Category 3

Other low-income individuals

- Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), TANF, Supplemental Security Income (SSI) under title XVI of the Social Security Act, or state or local income-based public assistance program; or
- Receives an income or is a member of a family receiving an income that in relation to family size, is not in excess of the current U.S. DOL 70% Lower Living Standard Income Level and U.S. Department of Health and Human Services Poverty Guidelines; or
- Is a homeless individual, or
- Is an individual with a disability whose own income meets the income requirements above, but who is a member of a family whose income does not meet this requirement

Category 4

Individuals who are basic skills deficient

The term “basic skills deficient” is defined in Section 3(5) to mean an adult who 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.

Must meet ONE of the following requirements:

- Lacks a high school diploma or equivalency and is not enrolled in secondary education; or
- Scores below 9.0 grade level (8.9 or below) on the TABE; CASAS or other Page 89 allowable assessments as per National Reporting System (NRS) developed by the U.S. Department of Education’s Division of Adult Education and Literacy, or
- Is enrolled in Title II adult education (including enrolled for ESL); or

- Has poor English language skills (and would be appropriate for ESL even if the individual isn't enrolled at the time of WIOA entry into participation).

Category 5

Non-Covered Individuals

Individuals who do not meet the above priorities may be enrolled on a case by case basis with documented managerial approval. The WIOA eligible adult must meet one or more of the following categories of an individual with a barrier to employment:

- Displaced Homemakers
- Individuals with disabilities
- Older individuals
- Ex-Offenders
- Eligible migrant and seasonal farm workers
- Single parents (including single pregnant women)

Action: All staff will recruit individuals in the priority of service categories and provide appropriate services to meet those populations' needs.

Effective Date: Immediately

Contact: If there are any questions related to the information in this issuance, contact local leadership.