

## Priority of Services Policy

IowaWORKS-Loess Hills Region 13

Updated: June 3, 2019

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

Must meet one of the following:

- 1) Veteran: A person who served at least 1 day in the active military, naval, or air service and who was discharged or released under conditions other than dishonorable; or
  - Active service includes full-time service in the National Guard or a Reserve component.
  - Active service does not include full-time duty performed strictly for training purposes (weekend or annual training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities.
- 2) Eligible Spouse - A spouse to any of the following:
  - Veteran who died of a service-connected disability
  - 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:

- 1) Missing in action
  - 2) Captured in the line of duty by a hostile force
  - 3) Forcibly detained or interned in the line of duty by a foreign government or power
- Veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs
  - Veteran who died while a disability was in existence

#### **Category 2 - Recipients of Public Assistance**

Must meet one of the following:

- Temporary Assistance to Needy Families (TANF); or
- General Assistance (GA); or
- Refugee Cash Assistance (RCA); or
- Supplemental Security Income (SSI); or
- Supplemental Nutrition Assistance Program (SNAP); or
- Other income based on public assistance.

#### **Category 3 - Low-Income Individuals**

Must meet one of the following:

- 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 SNAP, TANF, 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 percent Lower Living Standard Income Level Guidelines 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**

Must meet at least one of the following:

- Lacks a high school diploma or equivalency and is not enrolled in secondary education; or
- Is enrolled in Title II adult education (including enrolled for English Language Acquisition); or
- Has poor English-language skills and would be appropriate for ESL, even if the individual isn't enrolled at the time of WIOA participation; or
- Scores below 9.0 grade level (8.9 or below) on NSR-approved CASAS or TABE assessments, or other NSR-approved assessments; or
- Individual does not earn the National Career Readiness Certificate (NCRC).

#### **Category 5 - Individuals with Barriers to Employment**

Must meet at least one of the following:

- Displaced homemakers; or
- Indians, Alaska Natives, and Native Hawaiians; or
- Individuals with disabilities, including youth who are individuals with disabilities; or

- Older individuals (age 55 and older); or
- Ex-offenders; or
- Youth who are in or have aged out of the foster care system; or
- English language learners; or
- Individuals who have low levels of literacy (an individual is unable to computer or solve programs, or read, write, or speak English at a level necessary to function on the job, or in the individual's family, or in society; or
- Individuals facing substantial cultural barriers; or
- Migrant and seasonal farmworkers; or
- Individuals within 2 years of exhausting lifetime TANF eligibility; or
- Single parents; or
- Single individual who is pregnant, or is not pregnant, but expecting to provide custodial care for one or more dependents under age 18; or
- Long-term unemployed individuals (unemployed for 27 or more consecutive weeks); or
- Underemployed individual.

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.