



**Crater Regional Workforce Development Board
LWDA-15**

**Policy Number 2016-013
Effective Date: October 5, 2016**

Title: Priority of Service Policy

Background:

Sec. 134(c)(3)(E) Priority.--With respect to funds allocated to a local area for adult employment and training activities under paragraph (2)(A) or (3) of section 133(b), priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services described in paragraph (2)(A)(xii) and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.

Section 663.600(b) of regulations states that, *Since funding is generally limited, State and local Areas must establish criteria by which local areas can determine the availability of funds and the process by which priority will be applied*". This Priority of service Policy transmits guidance for enrolling unemployed adults in the WIOA program.

Workforce Innovation and Opportunity Act (WIOA) of 2014

§ 680.600 -what priority must be given to low-income adults and public assistance recipients and individuals who are basic skills deficient served with adult funds under title I?

(a) WIOA states, in sec. 134(c) (3) (E), that priority for individualized career services (see § 678.430(b)) and training services funded with title I adult funds must be given to recipients of public assistance, other low income individuals, who are basic skills deficient (as defined in WIOA sec. 3(5) (B)) in the local area.

(b) States and local areas must establish criteria by which the one-stop operator will apply the priority under WIOA sec. 134(c) (3) (E). Such criteria may include the

availability of other funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area, and other appropriate factors.

(c) The priority established under paragraph (b) of this section does not necessarily mean that these services may only be provided to recipients of public assistance, other low income individuals, and individuals without basic work skills. The Local Board and the Governor may establish a process that also gives priority to other individuals eligible to receive such services, provided that it is consistent with priority of service for veterans (see § 680.650

One additional provision in the WIOA draft regulations is potentially problematic: while priority must be given under WIOA Title I Adult funds to the targeted populations, the local board and Governor may establish a process that also gives priority to other individuals, as long as it is consistent with priority of service for veterans (proposed § 680.600(c)).

Policy:

The Crater Workforce Development Group has determined that funds in the LWIOA XV are limited therefore, this policy takes effect immediately.

Case Managers shall use the Poverty Guidelines or the 70% LLSIL (Lower Living Standard Income Level) table to enroll unemployed adult customers in the WIOA adult program.

This policy establishes a priority for serving low-income individuals, participants on public assistance, and individuals who are basic skills deficient in the provision of individual career services and training services. Basic skills deficient is defined as an individual who lacks a secondary education diploma or high school equivalent (HSE).

Veterans and eligible spouses also receive priority of services in WIOA programs.

Priority of services must be provided in the following order:

- 1) First to veterans and eligible spouses; this means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient would receive first priority for services provided with WIOA adult formula funds.
- 2) Second, non-covered persons (people who are not veterans or veteran spouses) who are included in the groups given priority for WIOA adult formula funds

- 3) Third, veterans and eligible spouses who are not included in WIOA's priority groups
- 4) Last, non-covered persons outside the groups given priority under WIOA.

When past income is an eligibility determinant for WIOA, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority.

Service members exiting the military, including, but not limited to, recipients of UI for ex-military members (UCX), generally qualify as dislocated workers. Generally a separated service member needs a notice of separation, either a DD-214 or other appropriated documentation to meet the required dislocated worker definition. A separated service member meets the dislocated worker requirement that an individual is unlikely to return to his/her previous industry or occupation.

Military spouses who have lost employment as a direct result of a relocation to accommodate a permanent change in duty station are dislocated workers.

Applicability:

All Crater WIOA service providers