

Priority of Service for Adults, Veterans, and Eligible Spouses

Effective Date: 4/15/2021
Duration: 6/30/2023

Purpose:

The purpose of this policy is to communicate the requirements for providing priority of service to all covered persons and identified populations. The guidance differentiates the requirements based on a participant's "point of entry" and their enrollment into a program to receive employment and/or training services.

Priority of Service Defined:

"Priority of service" means the right to take precedence over a person with lower priority in obtaining employment and training services. WIOA implements priority of service to recipients of public assistance, low-income individuals, and those who are basic skills deficient. These priorities are in addition to the requirements that veterans and their eligible spouses receive priority of service.

A. Priority Populations Defined:

1. **Veteran:** A veteran is a person who has served at least one (1) day of active duty in the military, naval, or air service, and who was discharged or released from such service with other than a dishonorable discharge.
2. **Eligible Spouse:** An eligible spouse must meet one (1) of the following qualifications:
 - A spouse of any veteran who died of a service-connected disability;
 - A spouse of 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 ninety (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;
 - A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the department of Veteran Affairs;
 - A spouse of any veteran who died while a disability was in existence.

A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be: if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level.

Similarly, a spouse, whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member.

The spouse of a veteran who died as the result of a service-connected disability, or died while a disability was in existence, would not lose covered status through subsequent remarriage.

3. Low-Income Individual (LII):

A low-income individual is defined as a person who meets any of the following criteria and will satisfy the low-income requirement for WIOA Title I Adult services:

Recipient of Public Assistance

Individuals who receive, or in the past six (6) months have received, or are a member of a family that is receiving or in the past six (6) months has received, assistance through one (1) or more of the following:

- a) Supplemental Nutrition Assistance Program (SNAP);
- b) Temporary Assistance for Needy Families (TANF) program;
- c) Supplemental Security Income (SSI) program; or
- d) State or local income-based public assistance.

Low-income includes:

- a) Recipients of public assistance (defined above),
- b) Individuals in a family with total income below seventy percent (70%) of the lower living standard income level,
- c) Homeless,
- d) Foster youth, or
- e) Individuals with disabilities with an income below seventy percent (70%) of the lower living standard income level.

A youth eighteen (18) or older, who was determined to be a low-income individual eligible for the WIOA Title I Youth program, may be co-enrolled in the WIOA Title I Adult program without an additional determination of eligibility. They may be counted as an individual who meets adult priority of service if the original determination was made no more than six (6) months prior to the date of co-enrollment. Under WIOA, an individual with a disability, whose family does not meet income eligibility criteria, will qualify for priority as a low-income adult.

4. Basic Skills Deficient:

WIOA defines basic skills deficient as "an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society." Basic skills deficient is defined by the NETLWDB as an individual with reading, writing, or computing skills at or below 7th grade level. Basic skills deficiencies will be determined by an objective, valid, and reliable assessment such as the Comprehensive Adult Student Assessment Systems (CASAS) or Tests of Adult Basic Education (TABE). If the priority of service is also based on basic skills deficient criteria then the participant's file must contain academic tests (including the participant's name, date of test, and results).

5. Underemployed:

Individuals are employed full or part-time and must also meet the definition of a low-income individual in order to be eligible for the adult priority.

6. Covered Person:

An individual who meets the above definition of veteran or eligible spouse.

“Point of Entry” Priority of Service:

Any covered person who is seeking WIOA services must be provided priority of service at their “point of entry” into the workforce system. The “point of entry” includes direct assistance at physical locations, such as AJCs or other service delivery points, as well as self-service Internet-based websites and other virtual service delivery resources. The NETLWDB defines “point of entry” as follows:

- Access to services via electronic methods including Virtual AJC, telephone, text, email, and social media.

Covered persons are made aware of programs and services as well as priority of service in person, through self-attestation, at a local AJC as well as via electronic platforms specifically designed for access to WIOA services such as the Virtual AJC and other electronic means such as websites, etc. Upon accessing workforce development services, identified veterans and other eligible covered persons are provided priority of services over all other customers and are placed at the head of the line of all services and training available including WIOA screening and training, referral to partners and supportive services.

The One-Stop Operator will ensure that front desk personnel are fully versed on prior of service and will monitor priority of service at the “point of entry” and during training and employment services and will report results to the NETWLDB. In addition, the One-Stop Operator will ensure that signage displayed clearly describes priority of service and physical and electronic “points of entry.”

Employment and Training Priority of Service:

The priority of service for veterans and eligible spouses always applies across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient is a statutory priority that applies only to the recipient of individualized career and training services in the WIOA Title I Adult program.

A. How to Apply Priority of Service

Priority of service must be provided in the following order:

1. Veterans and eligible spouses who are recipients of public assistance, low-income individuals, or individuals who are basic skills deficient receive first priority for services.
2. Individuals (not veterans or eligible spouses) who are recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners) and Title I Adult program eligibility.
3. Veterans and eligible spouses who meet Title I Adult program eligibility.
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (such as public assistance recipients, other low-income individuals including underemployed, or those who are basic skills deficient), but do meet discretionary criteria established by the Local Workforce Development Board (LWDB), and Title I Adult program eligibility.
5. Persons outside the groups given priority under WIOA but do meet Title I Adult program eligibility.

B. Percentage of Priority Populations Served

The NETLWDB is expected that seventy-five percent (75%) of individuals enrolled in the Title I Adult program must be a recipient of public assistance, low-income, or basic skills deficient as identified in the above section as priority of service level one (1) and two (2). A priority group that is identified by the Governor of Tennessee or a LWDB will not count towards the 75%. Any LWDB who does not meet this metric will be placed under sanctions per the State Workforce Development Boards (SWDB) policy.

CONTACT: Questions concerning the above may be addressed to Kathy Pierce, Executive Director of the NETLWDB at kpierce@ab-t.org.

This policy will remain in effect until amended, modified, or set aside by the Northeast Tennessee Local Workforce Development Board.

APPROVED:



James Osborne
NETLWDB Chair