

## **Operational Policy NO. OP-404, Change - 4**

**Subject: Priority of Service**

**Effective: PY15 – 07-01-2015**

### **BACKGROUND:**

Prior to July 2014, Section 663.600(b) of the WIA regulations stated “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 transmitted guidance for enrolling participants. Income verification was conducted and will continue to be conducted by WCCNM staff for participants by using the Lower Living Standard Income Level (LLSIL) table, except when estimating eligibility for Customized Training participants. The Self Sufficiency Policy OP-430 addresses the Customized Training eligibility requirement. WCCNM staff continues to ensure that Priority of Services were offered to low income individuals and those deemed basic skills deficient through assessment. Effective July 1, 2015 the Workforce Innovation and Opportunity Act (WIOA) requires the policy below to be implemented.

### **POLICY:**

#### **ADULT PRIORITY OF SERVICES**

With respect to funds allocated to a local area for adult employment and training activities under paragraph (2) (A) or (3) of WIOA 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 WIOA Section 134(c) (2) (A) (xii) and training services.

#### **VETERAN PRIORITY**

A veteran or the qualifying spouse of a veteran is entitled to, and must be given priority over, a non-veteran when the veteran or qualifying spouse meets WIOA eligibility requirements. Priority extends from selection to enrollment to funding decisions after enrollment. This means that a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the service instead of or before the non-covered person.

Although veteran priority should not be confused with eligibility, case managers must verify veteran status when enrolling a veteran or qualifying spouse. Verification documents will be submitted as part of the applicant’s enrollment packet.

A 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.

Active service includes full-time Federal service in the National Guard or a Reserve component. This definition of “active service” does not include full-time duty performed strictly for training

purposes which is often referred to as “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.

A qualifying spouse is the spouse of any of the following:

- Any veteran who died of a service connected disability; or,
- Any member of the Armed Forces who is listed in one of the following categories for at least 90 days: missing in action, captured in the line of duty, forcibly detained by a foreign government; or,
- Any veteran who has a total disability resulting from a service connected disability; or,
- Any veteran who died while a disability was in existence.

### **ORDER OF PRIORITY**

Priority of Service must always be given to covered persons (i.e. veterans and eligible spouses, including widows and widowers) regardless of whether or not the priority of service is in place. Priority of service is required for the provision of career services and training services, including individual training accounts, a veterans’ priority as well as priority to public assistance recipients and low income individuals required in WIOA regulations will be established as follows:

- First priority will be provided to recipients of public assistance, low-income or individuals who are basic skills deficient *who are also* veterans or eligible spouses of veterans.
- Second priority will be provided to recipients of public assistance, low-income, or individuals who are basic skills deficient *who are not* veterans or spouses of veterans.
- Third priority will be provided to veterans or eligible spouses of veterans who are not recipients of public assistance, low-income or basic skills deficient.
- Last priority will be provided to Adults in need of service who are not recipients of public assistance, not low-income or basic skills deficient.

All WCCNM Adult/DW Service providers will track the participation level in each priority area.

### **APPLICABILITY:**

All WCCNM contracted service providers.

### **INQUIRIES:**

WIOA Manager 505-724-3658