

Workforce Innovation and Opportunity Act Policy

Priority of Service Area 9

Board Approval Date: 7/28/16

Effective Date: Immediately

Eligible for Waiver: This policy is not waiver eligible; however, sub-grantees may develop a more precise procedure and customer flow process.

Guidelines: Priority of Service means that covered persons are given priority over non-covered persons for the receipt of employment, training, and placement services funded in whole or in part by the Department of Labor, including Wagner-Peyser, Trade Adjustment Assistance (TAA), Workforce Innovation and Opportunity Act (WIOA), Senior Community Service Employment Program, Indian and Native American Programs, Migrant and Seasonal Farmworkers, Workforce Innovation in Regional Economic Development Competitive Grants, and National Emergency Grants.

Purpose: The purpose of the Priority of Service Policy is to outline requirements for the local Workforce Development Board (WDB) and its sub-grantee OhioMeansJobs Lucas County for implementation of priority of service to adults and veterans and eligible spouses for all Department of Labor (DOL) funded training programs.

Priority for Adult and Dislocated Worker Funds

Background: The WIOA Adult and Dislocated Worker formula programs provide universal access to career services to meet the diverse needs of adults and dislocated workers. WIOA provides for a workforce system that is universally accessible, customer centered, and training that is job-driven. WIOA will provide for career and training services at the nation's nearly 2,500 one-stop centers (currently referred to as American Job Centers). Training is supported through a robust Eligible Training Provider List (ETPL), comprised of entities with a proven capability of securing quality employment outcomes for participants. WIOA also provides enhanced access and flexibility for work-based training options, such as Registered Apprenticeship (RA), on-the-job training, customized training, and incumbent worker training.

Section 134(c)(3)(E) of WIOA establishes a priority requirement with respect to funds allocated to a local area for adult employment and training activities. Under this section, one-stop center staff responsible for these funds must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient in the provision of individualized career services, discussed in Section 4 of TEGL 3-15, and training services, discussed in Section 7. Under WIA, priority was required to be given to public assistance recipients and low-income individuals when States and local areas determined that allocated funds were limited. Under WIOA, priority must be provided regardless of the level of funds. WIOA also expanded the priority to include individuals who are basic skills deficient as defined in WIOA section 3(5).

Veterans and eligible spouses continue to receive priority of service for all DOL-funded job training programs, which include WIOA programs. However, as described in TEGGL 10-09, when programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority described above, priority must be provided in the following order:

- I. First, to veterans and eligible spouses who are also included in the groups given statutory priority for WIOA adult formula funds. 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.*
- II. Second, to non-covered persons (that is, individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.*
- III. Third, to veterans and eligible spouses who are not included in WIOA's priority groups.*
- IV. Last, to non-covered persons outside the groups given priority under WIOA.*

Priority of Service for Veterans

Background: As outlined in the Jobs for Veterans Act (JVA), Public Law 107-288, recipients of DOL funds for qualified job training programs have been required to provide priority of service since 2002. The publication of 20 C.F.R. Part 1010, Priority of Service for Covered Persons; Final Rule, which took effect on January 19, 2009 declares that recipients of DOL funds for these job training programs should review and, if necessary, enhance their current policies and procedures to ensure that acceptable protocols are in place. The State of Ohio Workforce Innovation and Opportunity Act (WIOA) Policy Letter No. 15-20 dated December 21, 2015 states that each local area is required to develop a priority of service policy.

Definitions: A comprehensive list of definitions for this policy can be found in The State of Ohio Workforce Innovation and Opportunity Act Policy Letter No. 15-20

Eligible Spouse: *An individual who is one of the following:*

- I. The spouse of any person who died of a service-connected disability.*
- II. The spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:*
 - a. Missing in action;*
 - b. Captured in the line of duty by a hostile force;*
 - c. Forcibly detained or interned in the line of duty by a foreign government or power for a total of more than 90 days; or*
- III. The spouse of any person who has a total (100%) disability permanent in nature resulting from a service connected or the spouse of a veteran who died while a disability was so evaluated was in existence.*

Eligible Veteran (for Jobs for Veterans State Grant (JVSG) Program) A person who:

- I. Served on active duty for a period of more than 180 days and was discharged (or) released with other than a dishonorable discharge;*

- II. *Was discharged or released from active duty because of a service-connected disability; or*
- III. *Is a member of a reserve component under an order to active duty pursuant to section 12301 (a), (d), or (g), 12302 or 12304 of U.S.C. Title 10, served on active duty during a period of war or in a campaign or expedition for which a campaign badge was authorized, and was discharged or released from such duty with other than dishonorable discharge.*

Procedures: Workforce Area 9 Lucas County has each unregistered veteran or eligible spouse complete a new CFIS account and a veteran Questionnaire (JFS 01863) form. The customer will meet with the designated Customer Service Representative in the Resource Room to review their questionnaire. Depending on the customer’s answer to the question “Does the customer have a significant barrier to employment?” the following will happen: if the answer is “No,” the customer will be referred to a Wagner-Peyser Customer Service Representative.

However, if the individual responses “Yes,” the customer will be referred to a Disabled Veteran Outreach Program (DVOP) Specialist for a complete assessment to determine the necessary services. Using the results of the Specific Barriers to Employment (SBE), the DVOP Specialist will assign the customer into appropriate services based and an Employment Development Plan (EDP) will be created.

By utilizing the Veteran Questionnaire (JFS Form 01863) and the designated, Workforce Area 9 will be better able to identify Veterans and their eligible spouses. The Veteran Questionnaire provides staff within OhioMeansJobs Lucas County and partner agencies permission to exchange and disclose necessary information in order for services to be provided through all programs being administered within the local workforce development system.

The Ohio Department of Jobs and Family Services Veteran Program Managers and OhioMeansJobs Lucas County Operator share monitoring responsibilities through regular OhioMeansJobs Lucas County Partner Meetings. Monitoring responsibilities include a review of the implementation of internal policies and procedures to determine how they are in compliance with the priority of service requirements. All OhioMeansJobs Center Staff will receive in-service training on the implementation of priority of service for veterans and eligible spouses.