

# Rivers East Workforce Development Board

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RIVERS EAST LA ISSUANCE 2021-21

**SUBJECT:** RIVERS EAST WIOA PRIORITY OF SERVICE POLICY

**PURPOSE:** This issuance replaces Region Q LA Issuance 2017-02 Change 1 and provides updates to the policy in regards to priority of service to veterans, eligible spouses, and other populations identified.

**ACTION:** Service providers should review the policy for updates and implement accordingly.

**EFFECTIVE DATE:** July 1, 2021

  
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Jennie Bowen  
Workforce Development Director

Attachment

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Mid-East Commission • Workforce Development Department  
"Committed Equal Opportunity Employer/Programs"

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## Summary of Priority of Service for Eligible Veterans and Spouses

The Jobs for Veterans Act affords priority of service to covered veterans and eligible spouses over non-covered persons for the receipt of employment, training, and placement services provided under new or existing job training programs funded in whole or part, by the U.S. Department of Labor (USDOL).

To be eligible for priority of service, the individual must meet the following definition:

- A Veteran: 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.
- Eligible Spouse: The spouses of any of the following:
  - Any veteran who died of a service-connected disability.
  - Any veteran who has a total disability resulting from a service-connected disability.
  - Any veteran who died while a disability so evaluated was in existence.
  - Any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to Section 556 of Title 37 and regulations issued by the Secretary concerned, in one or more of the following categories and has been so listed for a total of more than 90 days – missing in action, captured in the line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

Veterans' priority of service means the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining services. For example, this could mean:

- The covered person receives access to the service or resource earlier in time than the non-covered person; or
- If the service or resource is limited, the covered person receives access to the service or resource before the non-covered person.

Below is a list of programs affected by the passage of the priority of service law. This list is not all inclusive but provides an example of the type of programs in which priority of service to qualified veterans exists. Before priority of service can be extended to any covered person in these programs, the covered person MUST be qualified to participate in the program.

WIOA Adult and Dislocated Worker	National Emergency Grant
Wagner-Peyser Employment Service	Trade Act Programs
Senior Community Service Employment Program	Migrant and Seasonal Farm Worker Program
Indian and Native American Program	WIOA Demonstration Projects
Labor Market Information Grants	Career One-Stop Electronic Tools

Service protocol in the Career Center for Wagner-Peyser and basic career services under WIOA will be as follows:

All staff members will provide services to veterans. Vet staff can provide service only to veterans (where the staff member is a full-time LVER or DVOP). Based on priority of service, the customer who is a veteran is always next to be served.

Customer flow regarding veterans will be as follows:

1. Welcome/Reception will determine if customer is a veteran and register accordingly.
2. First available staff will serve the veteran.

Basic career WIOA services and Wagner-Peyser services are universal access programs, meaning they are provided to the public as a whole without targeting specific groups. When programs have eligibility criteria identifying basic conditions that each and every participant must meet, the veteran and eligible spouse must first meet the eligibility criteria in order to be considered for: a) enrollment in the program; b) receipt of priority for enrollment in the program; and c) priority of receipt of services.

*When past income is an eligibility determinant for Federal employment or training programs, 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 who 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, in accordance with 38 U.S.C. § 4213.*

**Veterans and eligible spouses will receive the first level of priority of service in universal access programs and services delivered through the NCWorks Career Centers for all USDOL funded programs, including Wagner-Peyser and WIOA.**

#### Summary of Priority of Service for WIOA

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. Each of the NCWorks Career Centers will be charged with applying selections for services based on priority of service.

Individuals who are underemployed and meet the definition of a low-income individual may receive career and training services under the Adult program on a priority basis. Additionally, individuals who meet the definition of an individual with a barrier to employment (Section 3(24) WIOA) who are underemployed may also be served in the Adult program.

Priority of service will be provided in the following order:

- 1) 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.
- 2) 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 (recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient).
- 3) Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
- 4) Last, to non-covered persons outside of the groups given priority under WIOA.

