

Region 1 Workforce Development Board Policy Letter #01

Subject: Priority of Service - Adult

Effective Date: July 1, 2015 (Revised March 2017)

Purpose: To establish policy regarding priority of service for veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with Workforce Innovation and Opportunity Act (WIOA) Adult funds.

References: Workforce Innovation and Opportunity Act of 2014 (WIOA) Sections 3 and 134; Proposed 20 CFR §680.150, §680.600, §680.610, and §680.650; 38 U.S.C. 101 and 4213 and 4215; and 20 CFR 1010; and 20 CFR §683.230; WorkForce WV WIOA Guidance Notice 2-16.

Background: The Workforce Innovation and Opportunity Act of 2014 authorize local Workforce Development Boards to determine priority of service for Career and Training Services. WIOA also authorizes local WDB's to define self-sufficiency for the local area.

Policy: WIOA Basic Career Services will be provided to all individuals seeking assistance without regard to specific eligibility criteria.

Veterans, under WIOA section 3(63)(A) and 38 U.S.C. 101 receive priority of service in all Department of Labor funded training programs under 38 U.S.C. 4215 and described in 20 CFR 1010. A veteran must still meet each program's eligibility criteria to receive services under the respective employment and training program. For income-based eligibility determinations, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocation rehabilitation, disability payments, or related VA-funded programs are not to be considered as income in accordance with 38 U.S.C. 4213 and 20 CFR §683.230.

WIOA Individualized Career and Training services that require significant staff time or assistance will be provided to individuals as outlined below:

Adult Funds:

- **First Priority:** Veterans and eligible spouses (covered persons) who are low-income or recipients of public assistance or who are basic skills deficient.
- **Second Priority:** Individuals (non-covered persons) who are low-income or recipients of public assistance or individuals who are basic skills deficient.
- **Third Priority:** Veterans and eligible spouses who are not low-income and are not recipients of public assistance or basic skills deficient.
- **Fourth Priority:** Individuals who do not meet the above priorities.

Definitions:

Low-income – An individual who:

- a. Receives, or is a member of a family that receives cash benefits under a federal, state or local income based public assistance program;
- b. Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under Section 202 of the Social Security Act that, in relation to family size, does not exceed the higher of:
 - i. The poverty line for an equivalent period; or
 - ii. 70% of the lower living standard income level, for an equivalent period;
- c. Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
- d. Qualifies as a homeless individual, as defined in subsection (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act.
- e. Is a foster child on behalf of whom State or local government payments are made; or
- f. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of the program, but who is a member of a family whose income does not meet such requirements.

Basic Skills Deficient – An individual 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.

For WIOA purposes, the State further defines Basic Skills Deficient as an individual who:

- Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.
- Enrolled in a Title II Adult Education/Literacy program.
- Reading and/or Math assessment at an 8.9 or below grade level. (WorkKeys level at or below 4).
- Determined to be Limited English Skills proficient through staff-documented observations.

How Priority of Service is defined and applied - Priority of service does not mean that only those individuals who meet the criteria listed above will be served. It means that if there are individuals who meet those criteria who are registered for service and deemed

in need of career and training services, they will be enrolled before other individuals are considered. Local WORKFORCE West Virginia intake and case management staff will make decisions on who will be enrolled, essentially using the rule that if individuals who meet the priority of service definition are available, they will receive consideration for training services over others.

If training services are provided to individuals from another Region within West Virginia or from another state, a valid Memorandum of Understanding between the Workforce Development Boards must be in place before training begins.

Action: All WORKFORCE West Virginia centers located within Region 1 or serving customers from Region 1 will be made aware of this policy. Eligibility for priority of service shall be determined by the WORKFORCE West Virginia center and tracked through the WIOA Management Information System (MACC).

Expiration Date: This policy shall be in effect until revised or canceled by the Region 1 Workforce Development Board.

Approved:

May 04, 2017
May 18, 2017
May 18, 2017

Executive Committee
Region 1 Workforce Development Board of Directors
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