

**Policy revision to align with VWDB Policy 600-01 pending approval of Executive Committee and Board of Directors 3/9/17. Updated policy will supersede OP 13-02.**

**Shenandoah Valley  
Workforce Investment Board, Inc.**



## Policy and Procedure

<b>Title:</b>	Priority of Services	<b>Number:</b>	OP 13-02
<b>Effective Date:</b>	07/25/2013	<b>Revisions:</b>	

### **Purpose**

The purpose of this policy is to set forth the SVWIB policy for Priority of Service for intensive and training services. Although subject to Veteran Priority of Service, Core services are not subject to priority requirements listed in B below. Core services are not subject to eligibility guidelines and are universally offered to all individuals entering a one-stop system facility.

### **Reference**

- Workforce Investment Act <http://www.doleta.gov/USWORKFORCE/WIA/wialaw.txt>
- Federal Register 20 CFR Part 652 et al. Workforce Investment Act; Final Rules <http://www.doleta.gov/regs/statutes/finalrule.pdf>
- VWL 08-09 Priority of Services to Veterans
- Jobs for Veterans Act (PL 107 -288) Section 2(a)

### **Policy**

Intensive Services will be provided to eligible participants, with a priority placed on providing services to select groups.

### **Procedure**

#### **A. Priority of Service for Covered Persons, also known as Veterans' Priority of Service (P.L. 107-288 (Jobs for Veterans Act) and 20 CFR Part 1010)**

Veterans and eligible spouses of veterans (covered persons) are entitled to priority over non-covered persons for the receipt of employment, training, and placement services provided under all (both WIA and non-WIA) USDOL-funded job training programs including, but not limited to:

- a. Any program or service that uses technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services);
- b. Any program or service under the public employment service system, One-Stop Career Centers, the Workforce Investment Act of 1998, a demonstration or other temporary program.

For purposes of this guidance, the term 'covered person' is used to identify anyone who is a veteran and eligible for veterans' priority of service. The term 'covered person' includes a veteran, as well as eligible spouses of veterans . Both are defined further below:

1. A veteran means a person who served in active military, naval or air services, and who was honorably discharged or released under conditions other than dishonorable. This includes full-time federal service in the National Guard or a Reserve component.
2. Eligible spouse means the spouse of any of the following:
  - a. Any veteran who died of a service-connected disability;
  - b. Any member of the armed forces on active duty who, at the time of the spouse's application, is listed in one or more of the categories and has been so listed for more than 90 days:
    - i) missing in action,
    - ii) captured in the line of duty by a hostile force, or

- iii)forcibly detained or interned in the line of duty by a foreign government or power;
- c. any veteran who has a total disability resulting from a service-connected disability; or
- d.any veteran who died while a disability so evaluated was in existence

The intake process for the training program must ensure the identification of covered persons at the point of entry, including enrollment into workforce services, to allow covered persons to take full advantage of priority of service. Identification does not mean verification of veteran status. Self-identified veterans must be made aware of:

- a. Their entitlement to priority of service;
- b. The full array of employment, training, and placement services available under priority of service; and
- c. Any applicable eligibility requirements for those programs and/or services.

**Veterans' priority of service to "covered persons" takes precedence over the discretionary priority group listed. Veterans' priority does NOT change a program's intended functions; covered persons still need to meet all program eligibility requirements.**

**B. If funds are limited, the following priority of services consideration will be utilized:**

**1. Adult Service Priority**

Priority for intensive and training services shall be given to recipients of public assistance (TANF, Food Stamps {SNAP}, SSI) as well as other low income individuals. Low income individuals include an individual whose family income falls below the Poverty Guidelines or 70% LLSIL; homeless individual as defined in Subsections (a) and (c) of Section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302); a foster child on behalf of whom state or local government payments are made or; is an individual with a disability whose own income meets the requirements of a program but who is a member of a family whose income does not meet such requirement.

Additional consideration will be given to;

- 1. Older worker (55+); or
- 2. Individuals who have difficulties speaking, reading, writing and understanding the English language; or
- 3. Other individuals who are not receiving services from other programs in WIA.

Individuals with other employment issues shall be afforded opportunities for participation in training activities designed to improve participation in the workforce and lead to higher earnings for individuals who successfully complete them. Training activities for persons in these groups will be provided in the context of the state's vision to provide universal access for all customers.

**2. Dislocated Worker Priority for Intensive and Training Services**

The Workforce Investment Act does not provide a priority of service requirement for dislocated workers. However, plant closures or significant dislocation events are given priority for Intensive and Training services. All other eligible individuals impacted are considered of equal status for receipt of services not withstanding federal requirements pertaining to priority for covered persons (veterans and eligible spouses).