



PRIORITY OF SERVICE

PRIORITY OF SERVICE REQUIREMENTS FOR USDOL PROGRAMS



What is Priority of Service?

Priority of Service: DEFINITION

“Priority of Service means the right of veterans and eligible spouses to take precedence over a non-covered person in obtaining all employment and training services.”

Veterans receive these services earlier in time, or instead of non-covered persons.

Priority of Service: SCOPE

- Recipients of USDOL funds for job training programs are subject to priority of service regulations, and are required by law to provide priority of service to veterans and eligible spouses. (20 CFR 1010.110).
- “Job Training Program” means any program or service for workforce preparation, development, or delivery that is directly funded, in whole or in part, by USDOL.
- For the purpose of this guidance, the term “Program Operator” is intended to refer to a recipient or a sub-recipient of USDOL funds for a qualified job training program.
 - Agreement by a program operator to implement priority of service is a condition of receipt of USDOL funds.

Priority of Service: IMPLEMENTATION

- States must address priority of service in their comprehensive strategic plan for their workforce investment system and develop policies for the delivery of priority of service by the State Workforce Agency, Local Workforce Investment Boards, and Career Centers for all job training programs delivered through the workforce system.
- The policy or policies must require that processes are in place to ensure that veterans and eligible spouses are identified at the point of entry and given an opportunity to take full advantage of priority of service.

Priority of Service: IMPLEMENTATION

- States' policies must require each Local Workforce Investment Board to develop and include in its strategic local plan, policies and procedures implementing priority of service for the local One-Stop Career Centers and for service delivery by local workforce preparation and training providers.
- Written copies of local priority of service policies should be maintained at all service delivery points and available to the general public.

Priority of Service: ELIGIBILITY

- For priority of service, “Veteran” means a person who served at least one day in the military and was discharged under conditions other than dishonorable.
 - Active service includes service in the National Guard or Reserves for Federal duty other than training.
 - "Eligible spouse" generally means the spouse of a veteran who died of a service-connected disability; is a POW or is MIA; has a total service-connected disability; or who died while disabled from the service-connected disability.

Verifying Veteran Status

- It is not appropriate to require verification of veteran status at the point of entry.
 - Self-attestation is sufficient for access to employment services.
 - The only services requiring prior verification of eligibility are those that require a commitment of outside resources, such as classroom training.
 - If documentation is not available, the veteran should be enrolled on a priority basis while waiting on proof of eligibility.

Verifying Veteran Status

- Status can be verified by referring to the following documents
 - ✓ Form DD-214.
 - ✓ Official VA notice of disability establishing entitlement to rating or compensation.
 - ✓ Official notice from DoD documenting eligibility.
 - ✓ Official notice from the state VA agency of entitlement.

Priority of Service: INTERPRETATION

- Priority of service means that veterans and eligible spouses are given priority for the receipt of employment, training, and placement services.
 - Priority means that veterans and eligible spouses are entitled to precedence over non-covered persons for services and either receives access to a service earlier in time than a non-covered person or, if the resource is limited, receives access to the service instead of or before the non-covered person.
 - It is important to note that state and local program operators do not have the discretion to establish further priorities within the overall priority established by the regulations.

Priority of Service: EXAMPLE

- For a service such as classroom training, priority of service applies to the selection procedure, as follows:
 - **First**, if there is a waiting list for the formation of a training class, priority of service require a veteran or eligible spouse to go to the top of that list.
 - **Second**, priority of service applies up to the point at which an individual is both: a) approved for funding; and, b) accepted or enrolled in a training class.
 - Once a non-covered person has been enrolled in a training class, priority of service is not intended to allow a veteran or eligible spouse who is identified subsequently to "bump" the non-covered person from that training class.

Applying Priority of Service

- **Universal Access programs** – veterans and eligible spouses must receive priority of service over all others.
- **Programs with Eligibility Criteria** – veterans and eligible spouses must first meet eligibility criteria and then receive priority of service within any sub-group.
- **Statutory Criteria** – required by law to provide a priority or preference for a particular group (e.g. low income). Priority of Service applies within the sub-group.
- **Discretionary Priorities** – program includes a focus on serving a particular group without being mandated in law. Priority of Service applies without restriction.

Exemption of Military Service-Related Income

- Programs with income criteria in rule or policy must note that most income related to military service should not be considered in eligibility assessments.
 - Compensation for service-connected disability/death.
 - Educational Assistance funds (GI Bill) for Active Military or Reserve members.
 - Training and rehabilitation payments to disabled veterans.
 - Survivor's and dependents' educational assistance.

Pension benefits are not exempt.

Exclusion of VA Funded Training Allowances

- WIOA regulations require the coordination of WIOA funded training with “other grant assistance” (e.g. Pell Grants).
- VA funded benefits are not included in the statutory and regulatory category of “other grant assistance.”
- **Program operators may not require veterans or eligible spouses to exhaust their entitlement to VA funded training benefits prior to enrollment in WIOA.**

Monitoring Priority of Service

- US Department of Labor will monitor the implementation and operation of programs to ensure Priority of Service is observed.
- Monitoring is the responsibility of the Veterans' Employment and Training Service (VETS) and the agency responsible for the program's administration and oversight.

Priority of Service: GUIDANCE

TEGL 10-09; VPL 07-09 - Attachment A and Attachment B

- The primary USDOL guidance on Priority of Service
- Provides some additional Frequently Asked Questions with USDOL responses

TEN 15-10; with

“A Protocol for Implementing Priority of Service For Veterans and Eligible Spouses”

- Provides an excellent training protocol for training AJC and WIB on Priority of Service requirements
- This document may be shared and or used as you think most appropriate. VETS staff can also assist in providing training.

Priority of Service: QUICK REFERENCE

TEGL 10-09 (VPL 07-09)

- Indicates specific requirements placed on state workforce agencies, WIBs and AJC office staff in implementing Priority of Service for veterans and eligible spouses as they relate to USDOL funded training and employment programs.

Page 4: Eligibility for Priority of Service as a veteran or eligible spouse.

Page 6: Guidance on applying Priority of Service to programs (like WIOA) that have statutory eligibility criteria.

In TEGL 10-09, Attachment A

Page 11: Addresses the exclusion of most military income when programs have a low income requirement.

Page 12: Guidance on verification of veteran status and that of eligible spouses.

Page 13: Definition of a veteran for both Priority of Service consideration and for JVSG services, explaining the difference between the two.

Page 13: The exclusion of GI Bill benefits from WIA (now WIOA) consideration with other grant assistance funding.

Questions?

GET THE RESOURCES

ONLINE

www.veterans.gov

dol.gov/vets/militaryspouses

www.servicelocator.org

www.mynextmove.org

www.myskillsmyfuture.org

VETERANS.GOV

DOWNLOAD



TAP E-Book

Shareables

CareerOneStop App



VISIT

Get one-on-one assistance
at your local AJC. Locate
one nearest you at
www.servicelocator.org

americanjobcenter



Background: WIA Priority

WIA Priority:

- Under WIA, Priority for training services was given to participants who were low-income and receiving public assistance.
- WIA priority was required **only** when funds were limited.
- Most local areas set their WIA priority limits at 80%.

Today: WIOA Priority...

WIOA Priority:

- WIOA builds on WIA priority of service by requiring that priority must be given regardless of funding levels.
- There are different priority populations served, but we'll focus on Adult POS.
- WIOA Title I Section 134(c)(3)(E) requires that priority of service be given to “recipients of public assistance, other low income individuals, and individuals who are basic skills deficient for receipt of career services and training services.
- Priority of Service status is established at the time of eligibility determination and does not change during the period of participation.
- WIOA Law does not establish a priority percentage. States set the percentage.
- Kentucky is 50% Adult priority served and is set by state policy # 16-006. Most local areas have set their local area policies to reflect that of state.