

	POLICY P08: PRIORITY OF SERVICES
	APPROVED: 10/28/2016 – NOW
	<input checked="" type="checkbox"/> NEW <input type="checkbox"/> REVISED

PURPOSE

To direct Workforce Innovation and Opportunity Act (WIOA) funds to those most in need, while complying with U.S. Department of Labor Priority of Service requirements for Veterans.

BACKGROUND

Covered individuals (veterans and their eligible spouses) are entitled to precedence over non-covered persons for services – the covered individual either receives access to a service earlier in time than a non-covered person or, if resources are limited, receives access to the service instead of or before the non-covered person.

TEGL 10-09 states recipients (and sub-recipients) of U.S. Department of Labor (DOL) funds are subject to the priority of service regulations, and are thus required by law to provide priority of service to veterans and eligible spouses. This is a requirement of receiving DOL funds. It is important to note that a veteran or eligible spouse must first meet any and all of the eligibility criteria in order to be considered eligible for enrollment in the program, receipt of priority for enrollment and priority for receipt of services.

In addition, WIOA requires when funds allocated for Adult Employment and Training activities are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The public assistance and low-income priority does not apply to Dislocated Worker funds.

POLICY

To address the requirement of WIOA, Oregon Northwest Workforce Investment Board doing business as Northwest Oregon Works (NOW) is establishing the following prioritization for services:

Low Income: In times that funds are limited, career and training services, priority must be given to eligible individuals that are low income and for which you have documentation stating low income status. Implementation of Priority of Service will be given to eligible low income individual first.

Veterans: For workforce programs that operate or deliver services to the public without targeting specific groups, veterans and eligible spouses must receive priority of service over all other program participants. For Programs with Eligibility Criteria, veterans and eligible spouses who meet the eligibility criteria will receive priority for enrollment in the program, as well as priority for receipt of services. (i.e. Adult and Dislocated Worker intensive services, National Emergency Grants and any other programs that has eligibility requirements). For programs with statutory or mandatory priorities (such as programs/grants that have specific populations that are allowable to be served in the grant), priority of service is applied as described below:

1. Veterans and eligible spouses who meet the program-specific mandatory priorities will receive the highest level of priority of service.
2. Non-covered individuals who meet the program's mandatory priority receive the second level of priority of service.
3. Veterans and eligible Spouses outside the program-specific mandatory priority receive the third level of priority of service.
4. Non-covered individuals outside the program's mandatory priority receive the lowest level of priority of service.

DEFINITIONS

Covered Persons means veterans or their eligible spouses.

Veteran means a person who was in active military service, and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service also includes full-time duty in the National Guard or a Reserve component, other than full time duty for training purposes.

Eligible Spouse as defined in section 2(a) of JVA (38 U.S. C. 4215(a)) means the spouse of any of the following:

1. Any veteran who died of a service-connected disability;
2. Any member of the Armed Forces serving on active duty who, at the time of application for the priority, 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 line of duty by a hostile force; or
 - c. forcibly detained or interned in line of duty by a foreign government or power;
3. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs;
4. Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.