

PARTNER WORK

PRIORITY OF SERVICE POLICY

Purpose

The purpose of this policy is to articulate how priority of service is to be applied to Workforce Innovation and Opportunity Act (WIOA) Title I Adult programs.

Affected Parties

This policy applies to all Pittsburgh/Allegheny County WIOA Title I Adult participants. Veterans and eligible spouses must be given priority for Pittsburgh/Allegheny County Dislocated Worker and Youth programs. Additional priority of service provisions outlined below do not apply to Dislocated Worker and Youth programs.

Pittsburgh/Allegheny County WIOA Title I Adult and Dislocated Worker staff and Partner4Work staff are responsible for implementing this policy.

References

- WIOA Section 134(b)(3)(E)
- Jobs for Veterans Act (JVA) of 2008
- TEGL 3-15
- Workforce System Policy (WSP) – Priority of Service (April 28, 2022)

Definition of Key Terms

The term “**Priority of Service**” means, with respect to any qualified job training program, that a *covered person* shall be given priority over *non-covered person* for the receipt of employment, training and placement services provided under that program, notwithstanding any other provisions of the law.

“**Covered Person**” – as defined in section 2(a) of the Jobs for Veterans Act (JVA) of 2008 means a veteran or eligible spouse. A veteran is defined as a person who served at least one day in the active military, naval, or air service and who was discharged under conditions other than dishonorable, as specified in 38 U.S.C. 101(2).

“**Eligible Spouse**” - as defined in section 2(a) of the JVA means the spouse of any of the following individuals:

- (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 service under this section, is listed in one or more of the following categories and has been so listed for a total of 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 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;

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- (4) Any veteran who died while having a disability, as indicated in bullet (3) of this definition was in existence.¹ A spouse whose eligibility is derived from a living veteran or service member (i.e., category 2 or 3 above) would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

A “**low-income individual**” is an individual who:

- (1) Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- (2) Received an income, or is a member of a family that received a total family income, for the six month period prior to application for the program involved that, in relation to family size, does not exceed the higher of
 - a. The Federal Poverty Line for an equivalent period (see Attachment); or
 - b. 70 percent of the Lower Living Standard Income Level (LLSIL) for an equivalent period (see Attachment);
- (3) Is a member of a household that receives food stamps;
- (4) Qualifies as a homeless individual;
- (5) Is a foster child;
- (6) Receives, or is eligible to receive a free or reduced price lunch; or
- (7) Is an individual with a disability whose own income meets the requirements of this clause, but who is a member of a family whose income does not meet such requirements.

An individual who is “**basic skills deficient**” is an individual who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society. An adult may be assessed as basic skills deficient through case manager observations and documented in case notes. For example, the career planner may observe that the adult is not able to read or fill out an application form, or does not have basic computer literacy. A case manager may also document basic skills deficiency using any one of the following:

1. Basic skills assessment questions or test results (e.g. TABE)
2. School records
3. Referral or records from a title II Adult Basic Education program
4. Referral or records from an English Language Learner program

Case notes must include the assessment used. The career planner does not need to keep a hard copy of the information verified in the participant’s case file. For example, a career planner verifies an individual is basic skills deficient by viewing school records, specifically, enrollment in a WIOA title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and the date of enrollment, which could allow an auditor/monitor to later retrieve this information.

¹ Federal Register, Veterans Employment and Training Service for Covered Persons; Final Rule, Friday December 19, 2009, pg. 78142

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If a standardized test is used to assess basic skills, the test should include reading, writing, or computing skills. Lacking soft skills or specific skills needed for a particular job may not be used to determine an otherwise high-functioning individual as basic skills deficient.

A youth 18 or older, who was determined basic skills deficient for the WIOA title I Youth Program, may be co-enrolled in the WIOA title I Adult Program without an eligibility redetermination, and be counted as an individual who meets Adult priority of service, if the original determination was made no more than six (6) months prior to the date of co-enrollment.

Eligibility Requirements

WIOA Adult participants must meet the eligibility requirements for Adult participants outlined in Partner4Work's WIOA Adult and Dislocated Worker Eligibility Policy.

Policy

For WIOA Adult program and training services, priority shall be given to covered persons as described in the Definition of Key Terms section and recipients of public assistance, low income individuals, and individuals who are basic skills deficient.

Priority must be provided in the following order:

- 1) First, to veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient;
- 2) Second, to individuals who are not veterans or eligible spouses who are 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 recipients of public assistance, low-income individuals, or basic skills deficient;
- 4) Last, to non-covered persons who are not recipients of public assistance, low-income individuals, or basic skills deficient, but do meet Adult program eligibility requirements.

Individuals eligible for priority of service shall be identified at the point of entry, whether that is PA CareerLink® site, online self-service application, or other WIOA Title I Adult provider location. Upon identification they shall be notified of:

1. Their entitlement to priority of service;
2. The full array of programs and services available to them;
3. Any applicable eligibility requirements for those programs and services.

An individual who qualifies for priority of service under this policy must be informed upon identification of their entitlement to priority of service. PA CareerLink® or other WIOA Title I Adult provider staff must ensure individuals who qualify for priority of service receive career and training services before other non-covered individuals and receive first priority on any waiting lists that are maintained for training slots. However, once a participant is enrolled in a workshop, training, or service, he or she may not be displaced by an individual qualified for priority of service.

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Internal Monitoring

Understanding the Commonwealth goal of 50.1% of Adult participants from priority groups outlined in WSP- Priority of Service (April 28, 2022), Partner4Work will regularly monitor reporting on the percentage of Adult participants who fall into a priority of service category. Should the year-to-date percentage of priority populations served fall below 50.1%, Partner4Work will work with the WIOA Title I PA CareerLink® Operator and WIOA Title I Adult providers to identify areas for additional outreach to priority populations.

Effective Date: July 1, 2022

Date	Summary of Policy Updates
07/01/2022	<ul style="list-style-type: none">● Updated reference section to include the Workforce System Policy (WSP) – Priority of Service (April 28, 2022) released by the PA Department of Labor & Industry.● Added language regarding case note documentation requirements when determining if a participant qualifies as basic skills deficient, in alignment with WSP – Priority of Service (April 28, 2022).● Added language regarding WIOA Youth and WIOA Adult program co-enrollment, in alignment with WSP – Priority of Service (April 28, 2022).● Revised Internal Monitoring section to replace “51%” with “50.1%”, in alignment with WSP – Priority of Service (April 28, 2022).