

PRIORITY OF SERVICE Policy #: P-01

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BACKGROUND: "Priority of service" means the right to take precedence over a person with lower priority in obtaining employment and training services. The person with priority receives access to a service earlier in time than a person with lower priority or, if the resource is limited, receives access to the service instead of the person with lower priority. Priority is not part of the eligibility determination for any program; rather, it is meant to emphasize access to individualized career and training services for these higher-need populations.

Priority of service must be assessed at the time of eligibility determination, and participants must be informed if they are to receive priority. If, during participation, the Career Planner learns of changes in an individual's status that allow him/her to receive a higher priority of service, s/he must be given increased priority. For example, if someone who was not low-income at program entry becomes low-income during participation, s/he starts receiving increased priority as soon as the career planner becomes aware of the change.

Aside from the exception discussed under "Eligible Spouse," below, once a priority level has been assigned participants cannot move to a lower priority level during an episode. Priority levels must be reassessed at the beginning of each new program episode.

[Veterans and eligible spouses of veterans](#) receive priority of service in all WIOA Title I-B programs. For the Adult Program only, priority for individualized career and training services must also be given to participants who are designated:

- [Low-income](#), and/or
- [Basic skills deficient for the Adult Program](#).

Note: Individuals who are [English Language Learners](#) meet the criteria for "basic skills deficient."

Priority for low-income and basic skills deficient populations does not apply to basic career services within the Adult Program nor does it apply to any services in the Dislocated Worker Program.

Note: Eligible individuals who are not low-income or basic skills deficient may still be served in the Adult Program.

DEFINITIONS:

Veteran means a person who served at least one day in the active military, naval or air service, and who was discharged or released under conditions other than dishonorable. Active service includes full-time Federal service in the National Guard or a Reserve component. This definition of "active service" does not include full-time duty performed strictly for training purposes (which often is referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by state rather than federal authorities (usually in response to events such as natural disasters).

Eligible spouse means the spouse of:

1. A veteran who died of a service-connected disability;
2. A member of the Armed Forces serving on active duty who, at the time of priority determination, is missing in action, has been captured in the line of duty by a hostile force, or is being forcibly detained or interned by a foreign government or power for at least 90 days;
3. A veteran who has been evaluated by the Department of Veterans Affairs as having a total disability resulting from service; or
4. A veteran who died while a disability was in existence.

A spouse can lose his/her priority if a living veteran or service member loses the status that was the basis for the priority of service determination (e.g. a veteran with a total service-connected disability receives a revised disability rating at a lower level or the couple divorces). Remarriage of a widowed spouse does not cause any loss of eligibility.

Basic skills deficient is defined in WIOA Sec. 3 Definitions (5)(B) for the Adult Program as an individual who is unable to compute or solve problems, or read, write, or speak English at the level needed to function on the job, in the individual's family, or in society.

Low income determination for an individual is based on if any of the following apply:

1. The person is receiving or has received assistance in the last 6 months from:
 - a. Supplemental Nutrition Assistance Program (aka SNAP or "FoodShare Wisconsin");
 - b. Temporary Assistance for Needy Families (aka TANF or "Wisconsin Works (W-2)");
 - c. Supplemental Security Income (SSI); or
 - d. Some other state or local government public assistance.

Note: The person meets this criterion if his/her family is receiving or has received any of the above assistance within the last 6 months.

2. The person's total family income does not exceed the higher of the federal poverty line (FPL) or 70% of the lower living standard income level (LLSIL).
3. The person has a disability and his/her own income does not exceed the higher of the FPL or 70% of the LLSIL.
4. The person is homeless.
5. The person receives or is eligible to receive free or reduced-price lunch under the Richard B. Russell National School Lunch Act.

Note: This can apply to a WIOA Out-of-School Youth Program participant who is a parent living in the same household as his/her child if the child receives or is eligible to receive free or reduced price lunch. In districts where a whole school automatically receives free or reduced price lunch, WIOA programs must base low-income status on the individual student's eligibility or use one of the other low-income categories. The local program should check with the school district to determine if the individual student is eligible for free or reduced price lunch.

6. The person is a foster child.
7. The person is a WIOA Youth Program participant who lives in a high poverty area.

Note: TEGL 21-16 provides guidance for determining whether a geographic location is a high poverty area.

LOCAL WDB PRIORITY OF SERVICE CRITERIA FOR THE WIOA ADULT PROGRAM: To maximize training funds and to focus those funds to those most in need, the WOW Workforce Development Board has added the below criteria for awarding of training funds. Local priority is applied only to training services and is applied after all other federal criteria. If funds remain after applying federal and local criteria, those who do not meet priority criteria can still receive training funds.

Local criteria:

- Reside in Waukesha, Ozaukee, or Washington Counties.
Note: For on-the-job training services, local priority criteria applies when either the job seeker or the business is located in Waukesha, Ozaukee, or Washington Counties.
- Are from families whose income is at or below 300% FPL.

PROCESS: Helping veterans obtain training and employment is the responsibility of all Job Center staff and the local Job Center must provide priority of service to all veterans and eligible spouses to ensure that the full range of employment and training services are provided in a comprehensive, customer-driven and seamless manner. This begins as customers enter the WDC and is carried through with all service providers. Priority of Service banners and/or posters are required to be posted in lobby areas of all WOW Workforce Development Centers.

Veterans, eligible spouses, and other priority of service individuals are to be identified at the point of entry into WIOA services, whether it is in-person or virtual. The point of entry is the point at which the WIOA service provider meets with the applicant to discuss the individual's qualifications for WIOA services. Career Planners must ensure that veterans, eligible spouses, and other priority of service individuals are aware of and given the opportunity to take full advantage of these rights:

- Their entitlement to priority of service among those who meet the eligibility requirements for WIOA services and programs;
- The full array of WIOA employment, training, and placement programs and/or services under priority of service; and
- Any applicable eligibility requirements for those programs and/or services.

Career Planners must present veterans, eligible spouses, and other priority of service individuals with a letter which outlines their rights.

Priority of service also applies to non-veterans who are low income, public assistance recipients or basic skills deficient. Priority must follow this order:

- First: [Veterans and eligible spouses of veterans](#) who are low-income or basic skills deficient.
- Second: Individuals who are low-income or basic skills deficient but are not veterans or eligible spouses.
- Third: Veterans and eligible spouses of veterans who are not low-income or basic skills deficient.
- Fourth: Anyone who does not belong to one of the groups above, but who belongs to a priority population established by DWD-DET or the local WDB.
- Last: Everyone else.

It is not intended for a participant with higher priority to subsequently "bump" a participant with lower priority who has already been approved to receive a service. Priority of service applies up to the point that the participant receives approval to begin an individualized career or training service. At that point, the participant should continue to receive services as needed until the end of his or her episode, even if participants with higher priority must wait to receive services because funds are limited.

Note: If the local WDB has a waiting list for any individualized career or training services, participants must be placed on the list consistent with the order outlined above.

Career planners should follow these steps to determine if a participant in the Adult Program must receive priority of service:

1. Determine whether the individual seeking to enroll is a [veteran or is the eligible spouse of a veteran](#).
2. Determine whether the individual is [low-income](#) using WIOA-allowable documentation.
3. If the individual is not low-income, s/he must complete the [Basic Skills Screening Tool](#), which screens for basic skills deficiencies. If the individual answers "No" to any of the questions on the screening tool or is unable to complete the form without assistance, s/he is considered basic skills deficient.
4. Assign order of priority (first, second, third, etc) as described at the top of this section and document it in the ASSET case notes.

Policy Adopted:	10.01.2004
Policy Revised:	04.13.2005; 07.01.2015; 12.07.2017; 03.14.2019
References:	Workforce Innovation and Opportunity Act; DWD DET Workforce Innovation and Opportunity Act Title I Policy Manual; TEGL 21-16