

**Alabama Workforce Board
401 Adams Avenue
Montgomery, Alabama 36104**

Alabama Workforce Board Policy PY2024-7

Subject: Priority of Service for Adults, Veterans, and Eligible Spouses

Purpose: To provide guidance to the Regional Workforce Boards for the use of WIOA funds allocated to a local area for certain adult employment and training activities. One-Stop Career Center staff, when using WIOA Adult program funds to provide individualized career services and training services, must give priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient and veterans. Regional Boards must develop policies and procedures for applying priority of service requirements for adult funded employment and training services.

Effective Date: December 11, 2024

References: WIOA § 134(c)(3)(E); Alabama Act 2024-115; 20 CFR § 679.220; § 678.700-678.760; 20 CFR Part 20; 20 CFR § 680.650; 20 CFR § 680.600; Training and Employment Guidance Letter WIOA No. 19-16, Guidance on Services provided through the Adult and Dislocated Worker Programs under WIOA and the Wager-Peyser Act Employment Service (ES), as amended by Title III of WIOA, and for Implementation of the WIOA Final Rules; Training and Employment Guidance Letter WIOA No. 10-09, Infrastructure Finding of the One-Stop Delivery System; Training and Employment Guidance Letter WIOA No. 7-20, Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the WIOA Adult Program.


Discussion: WIOA establishes a priority requirement for the use of funds allocated to a local area for certain adult employment and training activities. The policy establishes that certain population groups receive priority for training and employment services when funded by Adult Title I funds. This policy rescinds the Governor's Workforce Innovation Directive No. PY2016-01.

Action: The Regional Workforce Boards must develop criteria, policies and procedures for applying priority of service for employment and training services. The One-Stop Career Center staff should ensure that customers in the eligible groups receive the priority of services when funded by Adult Title I funds.

Contact: Questions regarding this policy should be referred to Margaret Henderson at Margaret.henderson@commerce.alabama.gov or by phone at 334.242.5300.



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Date

Priority of Service for Adults, Veterans, and Eligible Spouses

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This policy rescinds Governor's Workforce Innovation Directive No. PY2016-01.

Background

WIOA establishes a priority requirement for the use of funds allocated to a local area for certain adult employment and training activities. Under WIOA Section 134(c)(3)(E), one-stop career center staff, when using WIOA Adult program funds to provide individualized career services and training services, must give priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners). One-stop career center staff must prioritize services to these populations at all times, regardless of the amount of funds available to provide services in the local area. WIOA requires states to develop criteria, policies, and procedures for applying this priority, including monitoring local areas' compliance with this priority provision (see 20 CFR § 680.600 and TEGL 19-16). These priorities are in addition to the requirements in the WIOA regulations at 20 CFR § 680.650 that veterans and their eligible spouses receive priority of service for all U.S. Department of Labor (USDOL) funded job training programs, including the WIOA Adult program. This policy provides the Alabama Workforce Boards (AWB's) priority of service criteria, policy, and procedures for applying the priority of service policy.

Definitions

Basic Skills Deficient—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.

Eligible Spouse—The spouse of:

- Any veteran who died of a service-connected disability;
- 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:
 - Missing in Action;
 - Captured in line of duty by a hostile force; or
 - Forcibly detained or interned in line of duty by a foreign government or power.
- Any veteran who has a total disability resulting from a service-connected disability; and
- Any veteran who died while a disability was in existence.

A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level. Similarly, a spouse, whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member. The spouse of a veteran who died as the result of a service-connected disability, or died while a disability was in existence, would not lose covered status through subsequent remarriage.

Low Income—An individual who:

- Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP) established under the Food and Nutrition Act of 2008 (7 U.S.C. § 2011, et seq.), the program of block grants to States for Temporary Assistance for Needy Families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. § 601, et seq.), or the Supplemental Security Income program established under Title XVI of the Social Security Act (42 U.S.C. § 1381, et seq.), or state or local income-based public assistance.
- Is in a family with total family income that does not exceed the poverty line; or 70 percent of the Lower Living Standard Income Level.
- Is a homeless individual (as defined in Section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. § 14043e-2(6)), or a homeless child or youth (as defined under Section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a (2))).
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. § 1751, et seq.).
- Is a foster child for whom state or local government payments are made.
- Is an individual with a disability whose own income meets the income requirement, but who is a member of a family whose income does not meet this income requirement.

Public Assistance Recipient—An individual who receives, or in the past six months has received, or is a member of a family that receives or in the past six months has received, assistance through one or more of the following:

- Supplemental Nutrition Assistance Program
- Temporary Assistance for Needy Families
- Supplemental Security Income
- Other state or local income-based assistance

Priority of Service—The right to take precedence over a person with lower priority in obtaining employment and training services. WIOA implements priority of service to recipients of public assistance, low-income individuals, and those who are basic skills deficient.

Veteran—An individual who served in the active military, naval, or air service, and was discharged or released under conditions other than dishonorable. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes (38 U.S.C. 101(2)).

Veteran Priority of Service—Veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training and placement services provided under a qualified job training program. Priority means veterans and eligible spouses are entitled to precedence over non-covered persons for services. This means a veteran or an eligible spouse either receives access to a service earlier in time than a non-covered person or, if the resource is limited, the veteran or eligible spouse receives access to the services instead of or before the non-covered person.

Action

Regional Workforce Boards must develop criteria, policies, and procedures for applying priority of service for employment and training services. The Regional Workforce Board policy must be reflective of the requirements in this policy.

Employment and Training Priority of Service

The priority of service for veterans and eligible spouses always applies across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient is a statutory priority that applies only to the recipient of individualized career and training services in the WIOA Title I Adult program. The Governor, the Alabama Workforce Board, and Regional Workforce Boards may establish additional priority populations. Priority populations established by the Governor and/or Regional Workforce Board should have a lower priority than the WIOA Adult or Veteran priority populations established in statute. The Alabama Workforce Board expects that the provision of services to priority populations established by the Governor and/or the Regional Workforce Board will not impact the statutory priorities for the WIOA Adult or Veteran priority populations.

Applying the Priority of Service Policy

WIOA require states and Local Workforce Development Areas (LWDAs) to establish and implement policies and procedures to ensure certain groups receive priority services through the one-stop delivery system. These policies and procedures frequently establish specific criteria to guide front-line staff in the application of these priority provisions. The Alabama Workforce Board encourages Regional Workforce Boards to review, and update as necessary, any service priority criteria to ensure that they are providing priority of service to recipients of public assistance, low-income individuals, and individuals who are basic skills deficient, in addition to veterans' priority of service. Note that TEGL 19-16 describes how the veterans' priority requirement applies to the WIOA Adult program: Priority must be provided in the following order:

1. Veterans and eligible spouses who are recipients of public assistance, low-income individuals, or individuals who are basic skills deficient receive first priority for services.
2. Individuals (not veterans or eligible spouses) who are recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners) and Title I Adult program eligibility.
3. Veterans and eligible spouses who meet Title I Adult program eligibility.
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (such as public assistance recipients, other low-income individuals including underemployed, or those who are basic skills deficient), but do meet discretionary criteria established by the Regional Workforce Board and Title I Adult program eligibility.
5. Persons outside the groups given priority under WIOA but do meet Title I Adult program eligibility.

Local Operating Procedures (LOPs)

Local operating procedures guide how Regional Workforce Boards operationalize policies related to their priority of services. Each Board must develop local operating procedures that at a minimum:

- Establish standardized procedures for implementing priority of service for WIOA Adult Program participants.
- Provide comprehensive, customer-driven, and seamless priority of services that offers adults, veterans, and eligible spouses a full range of employment and training services.
- Establish a process to identify additional priority individuals who are eligible to receive priority of service and ensure the process is consistent with priority of service for veterans and the provisions of WIOA.
- Any additional priority populations identified by the Regional Workforce Board or the state should be reflected in the local plan.

- State and local monitoring services and activities provided under WIOA must be monitored annually for compliance by the Alabama Workforce Board. The Alabama Workforce Board will monitor the requirements outlined in this policy and local operating procedures. Additionally, Regional Workforce Boards must establish monitoring policies and procedures that include, at minimum:
 - The roles of the employer, participant and Regional Workforce Board staff; and
 - Monitoring procedures of employers and worksites to ensure all parties are and remain in compliance. Regional Workforce Boards must ensure participating employers agree to cooperate with monitoring efforts by the state and/or Regional Workforce Board and adhere to all other applicable local, state, and federal rules and regulations.
- Any covered person who is seeking WIOA services must be provided priority of service at their “point of entry” into the workforce system. The “point of entry” includes physical locations, such as one-stop career centers, as well as websites and other virtual service delivery resources. The following items must be detailed and defined by the Regional Workforce Boards in the local policy:
 - How covered persons are made aware of priority of service,
 - How covered persons are made aware of full array of programs and services available to them,
 - How welcome function staff will identify a covered person (must be through self-attestation only),
 - How priority of service allows a covered person to take precedence over a non-covered person,
 - How the one-stop operator will monitor priority of service at the “point of entry” and during training or employment services,
 - How the one-stop operator will ensure signs are displayed and clearly describe the priority of service. This must include physical and electronic “points of entry”.

Benchmarks for Priority Populations

Regional Workforce Boards should establish benchmarks for Local Workforce Development Areas to recognize whether priority is being provided to these populations. Benchmarks could include the percentage of individuals in individualized career or training services from at least one priority group, or the percentage of individuals from at least one priority group receiving individualized career or training services. The Alabama Workforce Board envisions that giving priority of service to these individuals means ensuring that at least 75 percent of a state’s participants receiving individualized career and training services in the Adult program are from at least one of the priority groups mentioned above, and expects this rate will be no lower than 50.1 percent in any group.

The Alabama Workforce Board expects Regional Workforce Boards to review and update their policies and procedures, including the monitoring of the implementation of this policy in one-stop career centers, as necessary. To this end, the Alabama Workforce Board will provide technical assistance to Regional Workforce Boards to ensure priority of service is being implemented, including that at least 50.1 percent or more of the individuals receiving WIOA Adult-funded individualized career or training services in a given Regional Workforce Board are from a priority population. If any Regional Workforce Board does not meet the minimum 50.1 percent benchmark, the Alabama Workforce Board may initiate a review of the Board’s compliance with the statutory requirement to provide priority of services to the priority populations. As a part of this review, the Alabama Workforce Board will carefully review the Regional Workforce Board’s policies and practices and provide technical assistance to ensure that at least 50.1 percent or more of the individuals receiving individualized career or training services are from one or more

of the priority groups. The Alabama Workforce Board will implement and provide technical assistance based on this benchmark and a review of Regional Workforce Board-reported data. The Alabama Workforce Board recognizes that this metric is a guide that Regional Workforce Boards can use to indicate priority of service is being provided and a tool for targeting technical assistance.

Aligning Program to Facilitation Service Prioritization

WIOA places a strong emphasis on planning across multiple one-stop delivery system partner programs to ensure alignment in service delivery strategies. One-stop delivery system partners can work together in the following ways to ensure the workforce system is prioritizing those most in need:

- Cross-train staff from different programs to understand other partner programs and to share their expertise about the needs of specific populations, including those most in need, so that all staff can better serve all customers.
- Staff the center with career counselors skilled in advising job seekers of their options, who are knowledgeable about local labor market dynamics, aware of available services inside and outside the one-stop career center, and skilled in developing customers' skills for employment success.
- Develop and implement operational policies that achieve an integrated system of case management, using technology to achieve alignment in service delivery that meets customers' needs.
- Partner across programs, including community-based and philanthropic organizations, to effectively maximize necessary services, including supportive services, to those most in need while minimizing duplicative processes and resource use.
- Develop outreach strategies with partner programs to ensure that those most in need are identified and served. Outreach strategies should include referrals across federal, state, local, community-based organizations, and philanthropic organizations, including those that provide supportive services.
- Encourage, develop, and implement the use of career pathways for those most in need.

Accurate Services Data

Local Areas are required to report accurately the characteristics of participants, services received, and the outcomes achieved by participants. This will help ensure that the state is implementing the priority of service provisions of WIOA. Reports will be used to review the data and to identify any local area performing at less than the minimum of 50.1 percent of their total WIOA Adult participants receiving individualized career and/or training services. Technical assistance will be provided to local areas who are failing to meet this requirement.

Attachment A: WIOA Priority of Service Status Form

WIOA Priority of Service Status Form

Purpose: This form is to be used to document the Priority of Service category of a Title I Adult participant.

Participant's Name: _____

State ID: _____

Participation Date: _____

PRIORITY OF SERVICE CATEGORY: (CHECK 1 OF THE FOLLOWING):

A. Veteran or Eligible Spouse:

- a. Veteran: Yes ___ No___
- b. Eligible Spouse: Yes___ No ___
- c. Meets Adult Priority Criteria:
 - i. Is currently receiving income-based public assistance: Yes___ No___ or
 - ii. Is low income: Yes___ No___ or
 - iii. Is basic skills deficient: Yes___ No___

B. A non-veteran who:

- a. Meets Adult Priority Criteria:
 - i. Is currently receiving income-based public assistance: Yes___ No___ or
 - ii. Is low income: Yes___ No___ or
 - iii. Is basic skills deficient: Yes___ No___

C. A Veteran or Eligible Spouse of a Veteran who is not included in WIOA priority groups:

- a. Yes___
- b. No___

D. A non-veteran who is not included in WIOA priority groups:

- a. Yes___
- b. No___

E. Other priority groups identified by the Governor or the Local Workforce Development Board. Any priority group identified must have been included in the Combined State Plan or the Local Workforce Development Area Plan.

- a. Yes___
- b. No___

Case Manager: _____

Date Completed: _____