



Effective Date: September 9, 2019

Policy: Local Priority of Service Policy

Summary

Workforce Innovation and Opportunity Act (WIOA) Adult program service providers must implement a written priority of service policy for program enrollment and delivery of services that incorporates required priority of service for specific populations. A written policy is vital during times of limited funding. Section 134(c)(3)(E) of WIOA establishes a priority requirement with respect to funds allocated to a local area for adult employment and training activities. Under this section, American Job Center staff, when using WIOA Adult funds to provide individualized career services, training services or both as described in the Training and Employment Guidance Letter WIOA No. 19-16, must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. DEED's WIOA Adult Eligibility and Priority of Service Policy defines "recipient of public assistance", "low-income" and "basic skills deficient". Under WIOA, priority must be implemented regardless of the amount of funds available to provide services in the local area.

Relevant Laws, Rules, or Policies

Training and Employment Guidance Letter WIOA No. 19-16

Workforce Innovation and Opportunity Act Section 134(c)(3)(E)

Workforce Innovation and Opportunity Act Regulations 20 CFR Part 680.600 through .660

DEED's WIOA Adult Eligibility and Priority of Service Policy

Definition

Priority of Service is a system for screening and enrolling participants who are most in need when resources are limited. Individuals in the targeted groups below are given priority to receive individualized career services, training services, and support services funded by the WIOA Adult program over other individuals who may also meet eligibility requirements for the program. Veterans and eligible spouses within these groups receive priority over non-veterans and this is the only priority group for Dislocated Worker programs.

Priority of Service

1st Priority – Veterans and eligible spouses (covered persons) who are:

- Low income, or
- Recipients of public assistance, or
- Who are basic skills deficient

*Note: military earnings should not be included when calculating income for veterans or transitioning service members for this priority

2nd Priority – Individuals who are not Veterans or eligible spouses (non-covered persons) who are:

- Low income, or
- Recipients of public assistance, or
- Who are basic skills deficient

3rd Priority – Veterans and eligible spouses who are:

- Not low income, or
- Not recipients of public assistance, and
- Are not basic skills deficient

4th Priority – Priority populations established by the Governor and/or Local Workforce Development Boards as outlined in the State and Local plans.

- Individuals of color;

- Individuals with disabilities, including youth who are individuals with disabilities (as defined in WIOA sec. 3(25) (includes individuals who are in receipt of Social Security Disability Insurance);
- Individuals seeking employment to reduce gender inequities;
- Individuals with barriers to employment as identified under WIOA:
 - Displaced homemakers (as defined in WIOA sec. 3(16));
 - Low-income individuals (as defined in WIOA sec. 3(36));
 - Indians, Alaska Natives, and Native Hawaiians (as defined in WIOA sec. 166(b));
 - Older individuals (age 55 and older) (as defined in WIOA sec. 3(39));
 - Ex-offenders (“offender” as defined in WIOA sec. 3(38));
 - Homeless individuals or homeless children and youths (see Attachment III);
 - Individuals who are:
 - (1) English language learners (WIOA sec. 203(7)),
 - (2) Individuals who have low levels of literacy (an individual is unable to compute or solve programs, or read, write, or speak English at a level necessary to function on the job, or in the individual’s family, or in society); and
 - (3) Individuals facing substantial cultural barriers;
 - Eligible migrant and seasonal farmworkers (as defined in WIOA sec. 167(i)(1-3);
 - Individuals within two years of exhausting lifetime TANF eligibility;
 - Single parents (including single pregnant women);
 - Long-term unemployed individuals (unemployed for 27 or more consecutive weeks)

5th Priority – Individuals of color with two or more of the following barriers to employment:

- Individuals who are homelessness
- Individuals experiencing barriers to reliable transportation
- Individuals facing Gender Inequities
- Individuals who have a criminal background (refer to the definition of “offender” in WIOA Sec. 3(38))
- Individuals who lack skills to be competitive in the workforce
- Individuals with limited English proficiency
- Individuals who lack a High School Diploma, or would need post-secondary remediation
- Other barrier to employment leading to family sustaining wages

Priority Populations under WIOA:

Services provided to adults under Title I of WIOA can be a pathway to the middle class and to maintain and build skills to remain in the middle class. Across all titles, WIOA focuses on serving “individuals with barriers to employment”, defined in WIOA section 3(24) and seeks to ensure access to quality services for these populations. The WIOA Final Rules discuss priority and special populations for the Adult and Dislocated Worker programs at 20 CFR 680.600 through .660.

Procedures:

When Priority of Service has been implemented in the determination of provision of services, service providers must communicate with appropriate staff when conducting referrals to other resources for services to avoid repetition of services for the applicant.

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