



## **Priority of Service to Veterans Policy**

**Revision 1: July 20, 2009**

**Revision 2: June 7, 2016**

**Effective July 1, 2016**

### **I. PURPOSE:**

The U.S. Department of Labor (DOL) has issued new regulation implementing priority of service *for veterans and eligible spouses (over non-covered persons), as provided by the Jobs for Veterans (JVA)*, and as specified by the Veterans' Benefits, Health Care, and Information Technology Act of 2006. JVA calls for priority of service to be implemented by all "qualified job training programs," directly funded, in whole or in part, by the Department of Labor. Six programs offered in the PA CareerLink® system that are subject to this regulation are 1) WIOA Adult, 2) WIOA Dislocated Worker, 3) National Emergency Grants, 4) Wagner-Peyser State Grants; 5) Trade Adjustment Assistance (TAA); and, 6) Senior Community Service Employment Program.

### **II. REFERENCES:**

- The "Jobs for Veterans Act" (Public Law 107-288 section 2(a) of Title 38 USC 4215 (a))
- Workforce Innovation and Opportunity Act of 2014 (WIOA or Opportunity Act), Public Law (Pub. L.) 113-128, enacted July 22, 2014
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### **III. BACKGROUND:**

In compliance with this regulation the North Central Workforce Development Board has created the following Priority of Services to Veterans Policy:

The "Jobs for Veterans Act" (Public Law 107-288 section 2(a) of Title 38 USC 4215 (a)) created a priority of services for veterans and some spouses, who otherwise meet the eligibility requirements for participation in Workforce Investment Act programs.

### **IV. KEY DEFINITIONS:**

Covered Persons: Eligible Veterans or their eligible spouses.

- A. Eligible Veteran: A person who served in the active U.S. military, naval or air service was discharged or released there from under conditions other than a dishonorable discharge.
- B. Eligible spouse: The spouse of any of the following individuals:

- a. Any veteran who died of a service-connected disability;
- b. Any veteran who has a total disability resulting from a service-connected disability.
- c. Any veteran who died while a disability so evaluated by in existence.
- d. Any members of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to section 556 of title 37 and regulations issued by the Secretary concerned, 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.
- C. Non-covered Persons: Non-Veterans
- D. Point of Entry: The point at which customers first come into contact with DOL-funded employment and training programs.

**V. IDENTIFYING COVERED PRSON AT POINT OF ENTRY:**

- A. All recipients of DOL funds for employment and training programs must identify covered persons at the point of entry to programs and / or services so they can take full advantage of the priority of service.
- B. To ensure covered persons understand their entitlement of priority of services and the full array of employment and training programs and any eligibility requirements the covered person must meet in order to gain entry into the program or to be provided services by the program.

**VI. IMPLEMENTATION OF PRIORITY OF SERVICES:**

Priority of service means the right of eligible covered persons to take precedence over eligible non-covered person in obtaining services. Taking precedence means:

- A. The covered person receives access to the service or resource earlier in time than the non-covered person; or
- B. If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.
- C. Priority of Services for Veterans will be provided in this order:
  - a. Special Disabled Veterans,
  - b. Disabled Veterans,
  - c. All other Veterans,
  - d. Eligible persons,
  - e. Non-Veterans.
- D. Eligibility for WIOA Adult and Dislocated Worker Programs are not affected by the Veterans' priority. Priority of services for WIOA programs is only to Veterans / eligible persons who meet the program's eligibility requirements.

## **VII. INTERACTION OF THE ADULT PRIORITY AND VETERANS' PRIORITY OF SERVICE:**

The priority of service for veterans and eligible spouses 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 receipt of individualized career services and training services in the WIOA title I Adult program. Local boards may establish a local discretionary priority that also gives priority to other individuals specifically for the receipt of individualized career services and training services in the WIOA title I Adult program. With regard to the priority of service for veterans and eligible spouses, priority of service for the WIOA title I Adult program must be applied in the following order:

1. Veterans and eligible spouses who meet the statutory priority (public assistance recipient, other low-income individuals including the underemployed, or basic skills deficient) and Adult program eligibility must receive the highest level of priority for services;
2. Other individuals (not veterans or eligible spouses) who meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) and Adult program eligibility then receive the second level of priority for services;
3. All other veterans and eligible spouses who meet Adult program eligibility, then receive the third level of priority for services;
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient), but do meet a local discretionary priority and Adult program eligibility, then receive the fourth level of priority for services;
5. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) and do not meet the local discretionary priority, but do meet Adult program eligibility, then receive the fifth level of priority for services.

## **VIII. RECISSIONS:**

Replaces the North Central Workforce Investment Board Veterans' Priority Policy of 2009

## **IX. EXPIRATION:**

Ongoing

## **X. INQUIRIES:**

Questions shall be directed to:

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