



Career Services Priority of Service Policy

Date: February 1, 2017

Policy Number: 16-04

Subject: Priority of Service for Veterans and Eligible Spouses

PURPOSE:

To establish a uniform process for the Career Services Division on how we provide priority services to veterans and eligible spouses.

BACKGROUND:

The Workforce Investment Act required that if funds allocated to a local area for adult employment and training activities were limited, priority of service was to be provided to recipients of public assistance and other low-income individuals for intensive services and training services.

The Workforce Innovation and Opportunity Act made several changes to the priority of service requirement by adding individuals who are basic skills deficient as a priority population and removing that priority of service can only be applied if funding is limited.

Veterans and eligible spouses participating in any Department of Labor (DOL) funded programs continue to have priority of service in those programs. These requirements were not amended by WIOA and must still be applied in accordance with guidance previously issued the DOL and Workforce Services Directive (WSD) 08-10.

DEFINITIONS:

Veterans or eligible spouses of a veteran are entitled to receive priority of service. Per 38 U.S.C.101(2), the term veteran means a person who served at least one day in the active military, naval, or air services, and who was discharged or released under conditions other than dishonorable.

Active service includes full-time duty in the National Guard or a Reserve component. This definition of "active service" does not include full-time duty performed strictly for training purposes (i.e., that 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 (State mobilizations usually occur in response to events such as natural disasters).

“Eligible spouse” as defined at section 2(a) of the Jobs Veterans Act (38 U.S.C. 4215[a]) means the spouse of any of the following:

- a. Any veteran who died of a service-connected disability;
- b. 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:
 - i. Missing in action;
 - ii. Captured in the line of duty by a hostile force; or
 - iii. Forcibly detained or interned in the line of duty by a foreign government or power;
- c. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- d. Any veteran who died while a disability was in existence.

Note: A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b or c 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.

POLICY:

A veteran or eligible spouses is entitled to priority of service under all WIOA Title I funded programs. For full enrolled services, veterans and eligible spouses must meet WIOA program eligibility requirements. A veteran or eligible spouse who is determined eligible for WIOA services shall receive priority over non-veterans, except for the priority of service established for the WIOA Adult program. However, priority of service for veterans and priority of service for low-income individuals should be implemented in tandem. Therefore, low-income or basic skills deficient veterans and eligible spouses would receive first priority, followed by low-income or basic skills deficient non-veterans. Furthermore, veterans and eligible spouses that are not low-income or basic skills deficient would have priority service over adults who are not low-income. Similarly, an eligible Dislocated Worker who is a Veteran has priority over other Dislocated Workers who are not low income or basic skills deficient.

IDENTIFYING VETERANS AND ELIGIBLE SPOUSES:

At the point of access to our services, veterans and eligible spouses are to be provided with the opportunity to identify that they are a veteran and made aware of:

- Their entitlement to priority of service;
- The full array of employment, training and placement services available; and
- Applicable eligibility requirements for programs and services.

Veterans or eligible spouses will be informed of priority of service by:

- 1) Signs posted in lobby and in the America’s Job Center of California (AJCC) identifying priority for veterans.
- 2) Written notice on the AJCC scan card application form.
- 3) Notification alert identified when customer scans in at AJCC entry point.
- 4) Verbal notice at reception desk when customers are inquiring about services.

- 5) Posting on AW website to make veterans aware of their priority of services.
- 6) Outgoing phone messages.
- 7) Verbal notice when answering 558-Work (9675) information line.
- 8) Applicants identified as veterans through the intake process are also referred to Employment Development Department's (EDD) Local Veterans Employment Representative (LVER).

REFERENCES:

EDD Workforce Services Division WSD15-14

Training and Employment Guidance Letter (TEGL) NO. 10-09

EDD WSD08-10 Final Rule on Priority of Service for Veterans and Eligible Spouses

POINT OF CONTACT FOR THIS POLICY:

Any questions or comments regarding this Policy should be addressed to a Career Services Supervisor or Program Manager.