

Policy Name: Priority of Service

Policy Number: BGWIOA-N17-O1

Effective Date: March 14, 2017

Applies to: Adults

1. Purpose:

This policy provides guidance and establishes the procedures regarding priority of service for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient served with Workforce Innovation and Opportunity Act (WIOA) Adult funds.

2. Background: (Replaces: BGWIA-R10-O1 "Priority System Policy & BGWIOA-N16-O17 "Priority of Service Policy")

WIA 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.

WIOA made several changes to the priority of service requirement by adding individuals who are basic skills deficient as a priority population, changing intensive services to individualized career services, and removing the provision stating priority of service is only applied if funding is limited.

Veterans and eligible spouses continue to receive priority of service for all Department of Labor (DOL) funded programs amongst all participants. These requirements were not affected by the passage of WIOA and must still be applied in accordance with guidance previously issued by DOL.

3. Definitions: For purposes of this policy, the following definitions apply.

a. **Low Income:** An individual who meets one of the four criteria below:

1. 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), Temporary Assistance for Needy Families (TANF) Program, Supplemental Security Income (SSI) Program, or state or local income-based public assistance.
2. Is a member of a family with a total family income that does not exceed the higher of the following:
 - a. The poverty line; or
 - b. 70% of the Lower Living Standard Income Level (LLSIL)
3. Is homeless
4. Is an individual with a disability, whose own income does not exceed the income requirement but is a member of a family whose total income does

b. **Public Assistance Recipient:** An individual who receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test.

c. **Self-Attestation:** When a participant states his/her status for a particular data element, such as low income, and then signs and dates a form acknowledging this status. The key elements for self-attestation are:

1. The participant is identifying his/her status for *permitted* elements; and
2. The participant is signing and dating a form attesting to this self-identification. The completed self-attestation form with signature remains part of the eligibility

verification and must be filed in the participant's file.

Note that self-attestation is not to be used as the primary method of gathering documentation to verify data elements. ***Self-attestation as a documentation source is only to be used when the preferred options of paper documentation or third party corroboration are not available.***

- d. Career and Training Services: Under WIOA, WIA core and intensive services were merged into a new category entitled "career services." The career services category includes basic career services (WIOA Section 134(c)(2)(A)(i)-(xi)), and individualized career services (WIOA Section 134(c)(2)(A)(xii)).

Basic career services are not subject to the priority of service requirement. However, individualized career services and training services are subject to the requirement (Title 20 CFR NPRM Section 680.150).

- i. Basic Career Services: Basic career services are not subject to priority of service and consist of the following:
- De termination of eligibility to receive services
 - Outreach, intake, and orientation to the services available through the one-stop delivery system
 - Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs.
 - Labor exchange services, including:
 - Job search and placement assistance and career counseling, such as information on in-demand industry sectors and occupations, as well as nontraditional employment; and
 - Recruitment and other business services on behalf of employers in the local area, such as information and referral to specialized business services not traditionally offered through the one-stop delivery system
 - Referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and other workforce development programs.
 - Workforce and labor market employment statistics information, including information relating to local, regional, and national labor market areas, including:
 - Job vacancy listings and the job skills necessary to obtain them; and
 - Information on local in-demand occupations and the earnings, skill requirements, and opportunities for advancement that accompany them
 - Information on performance and program cost of eligible providers of training services, youth workforce investment activities, adult education, career and technical education activities at the postsecondary level, career and technical education activities available to school dropouts, and vocational rehabilitation services
 - Information regarding how the local area is performing on the local performance accountability measures and any additional performance information with respect to the on-stop delivery system in the local area
 - Information on, and referral to, supportive services or assistance
 - Information and assistance regarding filing claims for Unemployment Insurance (to the extent allowed for non-merit staff)
 - Assistance in establishing eligibility for financial aid programs for training and education that are not funded by WIOA

- ii. Individualized Career Services: Individualized career services are subject to priority of service, and consist of:
- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include:
 - Diagnostic testing and use of other assessment tools; and
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals
 - Development of an individual employment plan to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives
 - Group counseling
 - Individual counseling
 - Career planning
 - Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training
 - Internships and work experiences linked to careers
 - Workforce preparation activities
 - Financial literacy services
 - Out of area job search assistance and relocation assistance
 - English language acquisition and integrated education and training programs
- iii. Training Services: Training services are subject to priority of service and consist of:
- Occupational skills training, including training for nontraditional employment
 - On the job training
 - Incumbent worker training
 - Programs that combine workplace training with related instruction, which may include cooperative education programs
 - Training programs operated by the private sector
 - Skill upgrading and retraining
 - Entrepreneurial training
 - Transitional jobs
 - Job readiness training provided in combination with another training services
 - Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with another training service
 - Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.
- iv. 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.

<i>Criteria used to determine if an individual is basic skills deficient:</i>	
Criteria Used	Documentation Required
Lacks a high school diploma or high school equivalency and is not enrolled in secondary education	Self-attestation
Enrolled in a Title II Adult Education / Literacy program	School records or verification from school official

English reading, writing, or computing skills at an 8.9 grade level or below	Results of academic assessment
Determined to be limited English-skills proficient through staff documented observations	Case note clearly demonstrating staff assessment of English skills
Lacking computer literacy defined as: non-technical knowledge of computers and how to use them; familiarity and experience with computers, software, and computer systems	Case note clearly demonstrating staff assessment of computer skills or self-attestation

4. Policy:

Priority of Service Requirement: As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA Adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

Fifty percent or more of the adult participants will be enrolled as a priority participant and be the recipient of public assistance, basic skills deficient, or other low income individuals.

In order to meet this populations needs, BGWIB staff will partner with local agencies that serve the priority of service population to recruit individuals in these categories.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority does not apply to the dislocated worker population. The WIOA Adult funding priority of service doesn't affect or negate the priority of service provided to veterans and eligible spouses. A veteran is a person who served at least one day in the military, naval, or air service, and who was discharged or released under conditions other than dishonorable. Veterans and eligible spouses continue to receive priority of service among all eligible individuals.

Documentation: The following sources of documentation can be used to verify whether or not an Adult participant qualifies for WIOA Priority of Service. Case notes must demonstrate under which criteria a person is considered to meet Priority of Service as well as the specific documentation being utilized to verify eligibility.

Priority of Service	
Priority of Service Criteria	Acceptable Documentation (Only the documentation sources listed below may be used.)
Recipient of Public Assistance	Cross-match with public assistance database Copy of authorization to receive cash public assistance Copy of public assistance check Medical card showing cash grant status Public assistance records Refugee assistance records
Low Income	Alimony agreement Award letter from Veterans Administration Bank statements Compensation award letter Court award letter Pension statement Employer statement/contact Family or business financial records

	Housing authority verification Pay stubs Public assistance records Quarterly estimated tax for self-employed persons Social Security benefits Unemployment Insurance documents Self-attestation*
Basic Skills Deficient (See Definitions section)	School records Results of academic assessment Case notes* Self-Attestation*
*Reference the Definitions section of this policy for additional guidance on case notes and self-attestation being used for documentation purposes	