



WIOA – TITLE I POLICY



Effective Date: April 4, 2018
Supersedes WDB Policy: #2011-02

Policy #2018-06

PRIORITY OF SERVICE FOR ADULT PROGRAMS POLICY AND GUIDANCE

EXECUTIVE SUMMARY

This Policy is to provide guidance regarding Monterey County Workforce Development Board (MCWDB) Priority of Service for WIOA Title I Adult Programs. With respect to funds allocated to a local area for adult employment and training activities, priority shall be given to recipients of public assistance and other low-income individuals, and individuals who are basic skills deficient for receipt of WIOA career and training services. Local WDBs may establish additional priority groups for priority of service.

WIOA provides for a workforce system that is universally accessible and customer centered, and for training that is job-driven. Per the Workforce Innovation and Opportunity Act; Final Rule, effective October 18, 2016, the priority requirements described in this policy do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA adult funded career and training services.

Therefore, MCWDB stipulates that WIOA Program staff **will also** serve other eligible individuals who are not recipients of public assistance, other low-income individuals, or basic skills deficient individuals after first serving those who meet the established priority selection criteria.

REFERENCES

Workforce Innovation and Opportunity Act; Final Rule, effective October 18, 2016

20 CFR 680.120, 680.130, and 680.210

WIOA Section 134(c)(3)(E)

Training and Employment Guidance Letters: 3-15; 22-04; 10-09

Protocol for Implementing Priority of Service for Veterans and Eligible Spouses Jobs for Veterans Act, Public Law 107-288

The Monterey County Workforce Development Board is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

POLICY

Priority of Service

The WIOA adult program is statutorily required to provide priority in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
2. Individuals receiving public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Individuals with family income under 250 percent of the poverty level and for whom it is determined that the individual is in need of and can benefit from services. Long-term unemployed individuals with a barrier to employment may be enrolled under this priority. Employed individuals enrolled under this priority must have a barrier to self-sufficient employment.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. *Priority of Service does not apply to the dislocated worker population.*

Related Definitions

The definitions listed below are for the purposes of implementing adult priority of service

1. **VETERAN** - a person who served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as specified in Title 38 United States Code (USC) 101(2).

Active Service - includes full-time federal service in the National Guard, Coast Guard, or a Reserve component. This definition 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 - The spouse (including the same-sex 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:
 - a. Missing in action;
 - b. Captured in the line of duty by a hostile force; or
 - c. Forcibly detained or interned in the line of duty by a foreign power.
- c) Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs; or

- d) Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories 2 or 3 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.

2. BASIC SKILLS DEFICIENT - An individual that 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.

Additional State Criteria used to determine whether an individual is basic skills deficient includes the following:

- a) Lacks a high school diploma or high school equivalency and is not enrolled in postsecondary education.
- b) Enrolled in a Title II Adult Education/Literacy program.
- c) English, reading, writing, or computing skills at an 8.9 or below grade level.
- d) Determined to be Limited English Skills proficient through staff-documented observations.
- e) Other objective criteria determined to be appropriate by the Local Area and documented in its required policy.

3. LOW INCOME INDIVIDUAL - An individual that meets one of the four criteria:

- a) 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 (CalFresh/Food Stamps), temporary assistance for needy families' program, supplemental security income program, or state or local income-based public assistance.
- b) In a family with total family income that does not exceed the higher of the poverty line or 70 percent of the Lower Living Standard Income Level.
- c) A homeless individual.
- d) Public Assistance Recipient - An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test described below.

UNDER 250% OF POVERTY - An individual that meets the following criteria:

- a) Family income under 250 % of poverty* **AND**
- b) Individual is in need of and can benefit from services **AND**
- c) The service provider staff documents that the individual has a barrier to employment and is able to benefit from WIOA services.

Individuals with a family income below the self-sufficiency standard, such as long-term unemployed individuals with a barrier to employment, may be enrolled under the fourth priority of service. Employed individuals may be enrolled under this priority if they also have a barrier to self-sufficient employment.

INQUIRIES

If you have questions, please contact staff at (831) 796-6434. This policy is posted on the WDB website located at: www.montereycountywdb.org/policies/

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Monterey County Workforce Development Board