



## Priority of Service Under the WIOA Adult Program

E-030

### Purpose.

The Workforce Innovation and Opportunity Act (WIOA) Section 134(c)(3)(E), states that in regard to funds allocated to a local area for adult employment and training activities, priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services and training services.

This document defines the policy of the Southwest Wisconsin Workforce Development Board (SWWDB) in applying the federal provisions related to priority of service.

### Definitions.

In application of this policy, the following definitions apply:

#### Basic Skills Deficient:

1. who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
2. who is a youth or adult, that the individual 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.

Covered individual: is someone who is a Veteran and/or eligible spouse.

Low-Income Individual: [WIOA Sec. 3(36)(A)]: In general, the term "low income individual" means an individual meets one of the criteria below:

1. Receives, or in the past six (6) months has received, or is a member of a family that is receiving or in the past six (6) months has received, assistance through:
  - a. The supplemental nutrition assistance program (SNAP) established under the Food and Nutrition Act of 2008, (7 U.S.C. 2011 et seq.); or
  - b. The program of block grants to states for temporary assistance for needy families (TANF) program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or
  - c. The supplemental security income (SSI) program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.); or
  - d. State or local income-based public assistance.
2. Is in a family with total family income that does not exceed the higher of:
  - a. The poverty line; or
  - b. 70 percent of the Lower Living Standard Income Level (LLSIL)
3. Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 1143a(2)));
4. Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
5. Is a foster child on behalf of whom State or local government payments are made;
6. Is an individual with a disability whose own income meets the income requirement of clause (ii) (i.e., the poverty line; or 70% of the Lower Living Standard Income Level (LLSIL)) but who is a member of a family whose income does not meet this requirement.



Priority: a covered individual shall take precedence (priority) over a non-covered individual in obtaining individualized career and training services. Once established as a covered individual under this policy, an individual shall receive access to individualized career and training services instead of or before a non-covered person. However, priority does not allow for the "bumping" of a non-covered individual who has previously been accepted and approved for these services in accordance with the individual's Employment Plan.

**Policy.**

In accordance with WIOA provisions and regulations, SWWDB provides workforce-related services and training to eligible participants to the broadest extent possible. It shall be the policy of SWWDB to give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Priority of service shall apply to covered clients eligible for adult WIOA career and training activities. Dislocated workers are not subject to this requirement.

SWWDB shall apply, in conjunction with Policy E-070 – Veterans Priority of Service, the following priorities for service:

- *First Priority* shall be given to potential recipients of individualized career and training services who are Veteran/eligible spouses, receiving public assistance and/or low income and/or basic skills deficient.
- *Second Priority* shall be given to potential recipients of individualized career and training services who are non-covered persons who are receiving public assistance and/or low income and/or basic skills deficient.
- *Third Priority* shall be given to any person otherwise eligible for the WIOA Adult Program.

The Board directs the Chief Executive Officer (CEO) to develop and maintain priority of service policy and procedures that comply with WIOA and other applicable regulations as they may change from time to time. The Chief Executive Officer (CEO) shall ensure that required systems and procedures are developed and maintained.

SWWDB shall require every program operator receiving adult funds through a WIOA contract with SWWDB to provide recipients of public assistance, other low-income individuals, and basic-skills deficient adults priority of service as outlined in this policy. Program operators shall inform covered individuals of their right to priority for career and training services by establishing organizational processes that will enable recipients of public assistance and other low-income individuals to identify themselves at the point of entry to the system or program when they will be given the opportunity to take full advantage of the priority. Furthermore, program operators shall provide recipients of public assistance and other low-income individuals with information on all services available under the WIOA Adult programs and all eligibility requirements necessary for participation. Contracted program operators may provide the information either verbally or in writing, during orientation, assessment, or enrollment.



SWWDB will also update managed websites, in accordance with Veterans' Program Letter 07-09, to inform veterans/eligible spouses of their entitlement to priority of service.

Program operator compliance with this policy will be reviewed during the SWWDB monitoring and will be a factor in SWWDB's evaluation of the program operator's performance. Any disallowed costs associated with failure of the program operator or its staff to comply with this policy will be the responsibility of the program operator.

Deviations from this policy are not allowed.

Reference: Workforce Innovation and Opportunity Act – Section 134 (c)(3)(E)  
Workforce Innovation and Opportunity Act Proposed Rules – 20 CFR 680.600  
USDOL, ETA, Training and Guidance Letter (TEGL) #03-15, dated July 1, 2015, RE: Guidance on Services Provided through the Adult and Dislocated Worker Program under the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) and Wagner Peyser, as Ammended by WIOA, and Guidance for the Transition to WIOA Services  
SWWDB Policy E-070 – Veterans Priority of Service

Policy Adopted: **March 14, 2012;**

Policy Revised: **December 9, 2015; June 27, 2016**