



WIOA Adult Program Priority of Service Policy

Purpose

This policy provides guidance and establishes the procedures regarding priority of services for veterans, recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient as well as a locally identified priority; ex-offenders. (to be amended 10-18-17)

Affected Parties

This policy applies to all Adult (Title I) WIOA participants receiving individualized career services and training services. Title I Adult and Dislocated and Employment Service staff are responsible for implementing this policy. The Gloucester County WDB creates and oversees AJC policies and procedures.

References

- WIOA Section 134(c)(3)(E)
- WIOA Section 134 (c)(2)(A)(i)-(xi)
- WIOA Section 134 (c)(2)(A)(xii)
- WIOA Section 3(36)
- WIOA Section 3(50)
- WIOA Section 3 (5)
- Training and Employment Guidance Letter (TEGL) 3-15
- Jobs for Veterans Act (JVA) of 2008
- New Jersey Workforce Innovation Notice (NJWIN) 11-16 (A)

Background

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 for public assistance and other low-income individuals for intensive and training services.

WIOA made several changes to the priority of service requirement by adding individuals who are basic skills deficient, allowing local WDB identify a priority population, changing intensive services to career individualized 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.

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, individuals who are basic skills deficient, and ex-offenders.

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. WIOA Adult funding priority of service does not 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 Armed Forces, and who was discharged or released under condition other than dishonorable. Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet Gloucester County WDB's Veteran's Priority of Service criteria. Therefore, for adult funded services, the program's eligibility determination must be made first, then veteran's priority applied.

The WIOA Title I Adult program has a statutory priority for individuals who are receiving public assistance, low income-individuals and basic-skills deficient individuals. The GCWDB has identified ex-offenders as a priority of service.

When programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority described above, priority must be provided in the following order:

First, to veterans and eligible spouses included in the groups given statutory priority for WIOA Formula funds. Meaning, veterans and eligible spouses who are on public assistance would receive first priority for services provided with WIOA Adult formula funds.

Second, to persons who are not Veterans or eligible spouses, who are include in the groups given statutory priority for WIOA Adult formula funds; public assistance recipients, low income individuals and individuals who are basic skills deficient.

Third, to veteran and eligible spouses who are not included in WIOA's priority groups, but are included in the locally-identified priority group (i.e. Gloucester County residents).

Fourth, to non-covered individuals who are not included in WIOA's priority groups, but are included in the locally-identified priority group (i.e. Gloucester County residents).

Fifth, to non-covered persons (not veterans or eligible spouses) who do not meet the statutory priority outside the groups given priority under WIOA; public assistance recipients, low income individuals, individuals who are basic skills deficient and the local area priority group; not an ex-offender.

Individuals may meet multiple categories; in these cases, the highest priority level that a person is eligible applies to them. For example, a local area identifies an ex-offender as a local priority as a local priority group. If a person is an –ex-offender, and low income, that person would receive first or second priority, depending on their veteran status.¹

Definitions

The term "**Priority of Service**" means, with respect to any qualified job training program, that a cover person shall be given priority over non-covered person for the receipt of employment, training and placement services provided under that program, notwithstanding any other provisions of the law.

"Covered Person" - as defined in section 2(a) of the JVA means the spouse of any of the following individuals:

- (1) Any veteran who died of a service-connected disability;
- (2) Any member of the Armed Forces serving on active duty who, at the time of application for service under this section, is listed in one of 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 to power.

¹ NJ WIN 11-16 (A), 10/25/16

- (3) Any veteran who has a total disability resulting from a service-connected disability as evaluated by the Department of Veterans Affairs;
- (4) Any veteran who died while having a disability, as indicated in bullet (3) of this definition was in existence.² A spouse whose eligibility is derived from a living veteran or service member (category 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.

A “**low-income individual**” is an individual who:

- (1) Receives, or is a member of a family that receives, cash payments under a Federal, State or local income-based public assistance program;
- (2) Received an income, or is a member of a family that received a total family income for a six month period prior to application for the program involved, that in relation to family size , does not exceed the higher of
 - a. The Federal Poverty Line for an equivalent period (See Attachment); or
 - b. 70 percent of the Lower Living Standard Income Level (LLSIL) for an equivalent period (see Attachment);
- (3) Is a member of a household that receives Supplemental Nutritional Assistance Program (SNAP);
- (4) Qualifies as a homeless individual;
- (5) Is a foster child;
- (6) Receives, or is eligible to receive a free or reduced price lunch; or
- (7) Is an individual with a disability whose own income meets the requirements of this clause, but who is member of a family who income does not meet such requirements, [WIOA Section 3(36)]

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, [WIOA Section 3(50)].

Basic Skills Deficient

An individual who is “*basic skills deficient*” is an individual who is unable to compute or solve problems, or read, write or speak English, at level necessary to function on the job, in the individual’s family, or in society [WIOA Section 3 (5)]. Basic skills deficient also includes individuals who do not have a high school diploma. An adult may be assessed as basic skills deficient through Employment Specialist/Counselor observations and documented in AOSOS. For instance, the Employment Specialist/Counselor or Interviewer may observe that the adult is not able to read or fill out an application form, or does not have basic computer literacy.

² Federal Register, Veterans Employment and Training Service for Covered Persons; Final Rule, Friday, December 19, 2009, pg. 78142

Criteria Used to determine whether an individual is basic skills deficient:

Criteria Used	Documentation Required
Lacks a high school diploma	Self-Attestation
Enrolled in a Title II Adult Education and Literacy Program	Referral or records from a Title II Adult Basic Education program
English, reading, writing, or computer skills at 7.0 grade level or below	Basic skills assessment (TABE) test results
Determined to have limited English speaking skills	Referral or records from an English Language Learner program and/or case notes demonstrating staff assessment
Lacking computer literacy defined as: non-technical knowledge of computers and how to use them	Self-Attestation and/or case notes demonstrating staff assessment

It should be noted, a lack of soft skills or specific skills needed for a particular job may not be used to determine an otherwise high functioning individual as basic skills deficient.

Self-Attestation

When a participant states his or 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:

- A. The participant identifying his or her status for permitted elements; and
- B. 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 and documented in AOSOS.

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 collaboration are not available.

Career and Training Services

Under WIOA, the WIA core and intensive services are merged into a new category entitled "career services." The career services category includes basic career services, found at WIOA section 134 (c)(2)(A)(i)-(xi), and individualized career services, found at 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. (See Attachments I, II, III & IV).

Adult Program Priority of Service

Basic Career Services

Basic Career Services must be made available to all individuals seeking services served in the American Job Center of Gloucester County (AJCGC) delivery system and includes:

- **Determinations** of whether the individual is **eligible** to receive assistance from the adult, dislocated worker, or youth programs
- **Outreach, intake** (including identification through the state's Worker Profiling and Reemployment Services system of unemployment insurance (UI) claimants likely to exhaust benefits), and orientation to information and other services available through the one-stop delivery system;
- **Initial assessment** of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
- Labor exchange services, including-
 - **Job search and placement assistance**, and, when needed by an individual, career counseling, including-
 - **Provision of information on in-demand industry sectors** and occupations (as defined in sec.3(23) of WIOA); and,
 - Provision of information on **nontraditional employment** (as defined in sec. 3(37) of WIOA);
- **Provision of referrals** to and coordination of activities with other programs and services, including those within the AJCGC/one-stop delivery system and, when appropriate, other workforce development programs;
- **Provisions of workforce and labor market employment statistics information**, including the provision of accurate information relating to local, regional, and national labor market areas, including-
 - Job vacancy listings in labor market areas;
 - Information on job skills necessary to obtain the vacant jobs listed; and
 - Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs;
- Provision of **performance** information and program cost information on eligible providers of training services by program and type of providers;
- Provision of **information** about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
- Provision of **information** relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance, including: child care; child support; medical or child health assistance available through the State's Medicaid program and Children's Health Insurance Program; benefits under the Supplemental Nutrition Assistance Program (SNAP); assistance through the earned income tax credit; housing counseling and assistance services sponsored through the U.S. Department of Housing and Urban Development (HUD)¹; and assistance under a State program for Temporary Assistance for Needy Families (TANF), and other supportive services and transportation provided through that program;
- **Assistance** in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA; and
- **Provision of information and assistance regarding filing claims under the UI programs**, including meaningful assistance to individuals seeking assistance in filing a claim-
 - Meaningful assistance means providing assistance;
 - On-site using staff who are properly trained in UI claims, filing, and/or the acceptance of information necessary to file a claim, or
 - **By phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time;**

Individualized Career Services and Training Services

If American Job Center (AJC) staff determine that individualized career services are appropriate for an individual to obtain or retain employment, these services must be made available to the individual. These services must be available in all comprehensive AJCs. AJC staff may use recent previous assessments by partner programs to determine if individualized career services would be appropriate.

Individualized Career Services

Individualized career services are subject to priority of service, and consist of the following:

- A. Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include the following:
 - 1. Diagnostic testing and use of other assessment tools; and
 - 2. In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- B. 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
- C. Group counseling
- D. Individual counseling
- E. Career planning
- F. 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.
- G. Internships and work experiences linked to careers.
- H. Workforce preparation activities.
- I. Financial literacy services.
- J. Out-of-area job search assistance and relocation assistance.
- K. English language acquisition and integrated education and training programs.

Training Services

Training services are subject to priority of services, and consist of the following:

- A. Occupational skills training, including training for nontraditional employment
- B. On-the-job training.
- C. Incumbent worker training.
- D. Programs that combine workplace training with related instruction, which may include cooperative education programs.
- E. Training programs operated by the private sector.
- F. Skill upgrading and retraining.
- G. Entrepreneurial training.
- H. Transitional jobs.
- I. Job readiness training provided in combination with another training service.
- J. 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.
- K. Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training

Documentation Verifying "Priority of Service" under WIOA

Documentation

Staff at the American Job Center of Gloucester County may use the following sources of documentation to verify whether an adult participant qualifies for priority of service under WIOA

Priority of Service											
Priority of Service Criteria	Acceptable Documentation (only if the documentation sources listed below may be used)										
Recipient of public assistance	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> 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 Definition section)	<ul style="list-style-type: none"> School records Results of academic assessment Case notes in AOSOS* Self attestation* 										
Veteran and/or spouse of veteran	Copy of the DD-214										
Ex-offender	Third party referral, NJDOC identification or self-attestation. Adult participant will need list their criminal record. NJ Criminal records can be obtain via: <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">State Section of Identification</td> <td>T. 609-882-2000 x 6425</td> </tr> <tr> <td>Records & Identification Bureau</td> <td>F. 609-530-4856</td> </tr> <tr> <td colspan="2">New Jersey State Police</td> </tr> <tr> <td colspan="2">PO Box 7068</td> </tr> <tr> <td colspan="2">West Trenton, NJ 08628</td> </tr> </table>	State Section of Identification	T. 609-882-2000 x 6425	Records & Identification Bureau	F. 609-530-4856	New Jersey State Police		PO Box 7068		West Trenton, NJ 08628	
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Records & Identification Bureau	F. 609-530-4856										
New Jersey State Police											
PO Box 7068											
West Trenton, NJ 08628											
*Reference the Definition section of this policy for additional guidance on case notes and self-attestation being used for documentation purposes.											

AMERICAN JOB CENTER OF GLOUCESTER COUNTY
Registration Form - Pre-Application WIOA

SOCIAL SECURITY ___/___/___ DOB ___/___/___
LAST NAME _____ FIRST NAME _____ MI _____
ADDRESS _____
CITY _____ STATE ___ ZIP _____ COUNTY _____ Sex M or F
PHONE _____ EMAIL ADDRESS _____

Ethnicity (circle): Hispanic or Latino White Not Hispanic or Latino Not Disclosed
Race (circle): Alaskan/American Asian Black or African American Hawaiian/Pacific Islander White
Not Disclosed

US Citizen? Y or N Unemployment Claimant? Y or N Disabled? Y or N

Ex-offender? YES or No [] Priority

Are you a Veteran? Y OR N If Yes, service dates: From ___/___/___ To ___/___/___

Are you married to a Veteran? Yes: ___ No: ___ [] Priority

Are you currently employed? Y or N If yes, F/T or P/T [] Priority

Have you been affected by any of the following:

Plant / Business Closure: ___ Lay-Off: ___ Rapid Response Event: ___

Name of Business / Company: ___ When: ___

If Unemployed, Are You Currently Collecting Unemployment Insurance Benefits?

Yes: ___ Claim Exhausted: ___ Ineligible: ___

Have not Applied: ___ Applied, Claim Pending: ___

Family Income for the past 6 months: \$ ___ Family Size: ___

[] Lower Living Standard Income Level Priority

Have you been looking for a Job? Yes: ___ For How Long? ___ No: ___

What do you think has been preventing you from finding a job? _____

Would any of the following affect your ability to find and keep a job:

Physical Impairment _____ Felony or Misdemeanor _____

Mental Impairment _____ Homelessness _____

Convictions _____

Drug and/or alcohol problem _____

Other (Please Specify) _____

Are you Currently receiving, or have you received any of the following within the last 6 months:

WFNJ Priority

Department of Rehabilitation

SSI (Supplemental Security Income)

Workers Compensation

TAA/TRA

Financial Aid (ex. Pell Grant, BOGW)

State Disability

Please list and include amount: _____

Housing Authority

Other: _____

Education Status: Check highest grade completed:

Priority

0-11th GED HS Diploma AA/AS BA/BS Master's Degree Ph.D.

Major Course of Study: _____

Additional Skills: Licenses, Computer Skills, Trainings, foreign Languages:

Current Employment Goal: _____

What type of work are you looking for right now:

1st Choice: _____

2nd Choice: _____

What shift do you prefer? Any 1st 2nd 3rd Desired Wage \$ _____ per _____

LAST EMPLOYER _____ JOB TITLE _____

Address _____ WAGE _____ per _____ # Hours _____

City _____ State _____ Reason for Leaving _____

Duties: _____

Date Started (mm/yy) ____/____/____ Date Ended (mm/yy) ____/____/____

Valid Driver's License? Y or N AUTOMOBILE or CDL-A or B

List An Emergency Contact

Name: _____ Relationship: _____

Phone Number: _____ Address: _____

IS THERE ANYTHING ELSE YOU CAN SHARE WITH US TO ASSIST YOU WITH YOUR EMPLOYMENT: _____

Applicant Certification: I certify under penalty of perjury that all of the information is true and complete. I agree that any information I have supplied is subject to verification. I understand that falsification of any item is grounds for termination from the Workforce Innovation & Opportunity Act Program.

Signature _____ Today's Date: _____

Rev (9/17)