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**Priority of Service**

**Reference**

Workforce Innovation and Opportunity Act (WIOA) 134; 20 CFR §§ 680.650, 681.250, 681.410; Ibid; TEGL 03-15, TEGL 08-15, TEGL 10-09, TEGL 22-04; VPL 07-09; Nebraska Department of Labor (NDOL) Priority Populations and Priority of Service policy.

**Policy**

Priority of service means the right to take precedence over a person with lower priority in obtaining employment and training services. The person with priority receives access to a service earlier in time than a person with lower priority or, if the resource is limited, receives access to the service instead of the person with lower priority.

Priority is not part of the eligibility determination for any program; rather, it is meant to emphasize access to individualized career and training services for these higher-need populations. Priority of service must be assessed at the time of the eligibility determination, and participants must be informed if they are to receive priority.

Veterans and eligible spouses of veterans receive priority of service in **all** WIOA Title I programs. The process for identifying covered persons at the point of entry includes:

* Signage prominently posted at the point of entry indicating the individual’s right to priority; and
* NEworks data collection for covered persons during registration.

As soon as career center staff identify the covered persons status they inform the individual of their entitlement to priority of service, explain services available to them under priority of service, and WIOA Adult, Dislocated Worker, and Youth program eligibility requirements.

**Outreach to Priority Populations**

Recruitment is a collaborative effort between the career planner, regional managers, one-stop the operator, and other local area staff. Recruitment methods include but are not limited to: presentations at interagency and community group meetings, partner referrals, presentations to local high school and college classes, local chambers and economic development agencies, and referrals from walk-in traffic at the job centers.

Career planners prioritize outreach to partner programs that work with priority populations groups to ensure they are aware of the services and entitlement to priority of service available to their clients.

**Adult Program Priority Requirements**Services to eligible Adult Program participants must be provided in the following order:

**1. First, to Veterans and eligible spouses of Veterans who are:**

a. recipients of public assistance;

b. low-income; or

c. basic skills deficient;

**2. Second, to individuals who are not Veterans and eligible spouses of Veterans but are:**

a. recipients of public assistance;

b. low- income; or

c. basic skills deficient;

**3. Third, to Veterans and eligible spouses of Veterans who are not:**

a. recipients of public assistance;

b. low- income; or

c. basic skills deficient

**4. Last, to persons who are not:**

a. recipients of public assistance;

b. low- income; or

c. basic skills deficient.

A recipient of public assistance, low-income, or basic skills deficient veteran or eligible spouse takes precedence, with all other qualifying requirements being equal, over a recipient of public assistance, low-income, or basic skills deficient, non-covered person in obtaining individualized career services and training services. This does not allow for “bumping” of non-covered persons who had previously been accepted into a program prior to the covered person applying within the same program. Priority of service applies up to the point that the participant receives approval to begin an individualized career or training service. At that point, the participant should continue to receive services as needed, even if participants with higher priority must wait to receive services because funds are limited. However, if there is a waiting list, the veterans or eligible spouse receive access to the service instead of or before the non-covered person on the waiting list. Veterans and eligible spouses receive priority of service in all WIOA Title I programs.

Recipients of Public Assistance, Low-income, or Basic Skills Deficient Exception

Greater Nebraska requires at least 90% of Adult enrollments meet category one or two eligibility. Administrative approval is required to enroll an individual under priority category three or four.

Prior to enrollment, career planners must determine what level an Adult participant must receive priority of service:

1. Determine if the individual is a veteran or eligible spouse.
2. Determine if the individual is low-income or a recipient of public assistance.
3. If the individual is not low-income, they must complete the Basic Skills Screening Tool. If the individual answers no to any of the questions on the screening tool or is unable to complete the form without assistance, they are considered basic skills deficient.
4. Case note order of priority.

**Dislocated Worker Program Priority Requirements**Services to eligible Dislocated Worker Program participants must be provided in the following order:

**1. First, the individual must meet the eligibility criteria described in WIOA Section 3(15)** (see the current Greater Nebraska Adult, DLW, & Youth Eligibility policy on dislocated worker eligibility); and

**2. Second, if the individual meets the dislocated worker eligibility criteria *and* is a Veteran or eligible spouse of a Veteran, the individual must be given priority over dislocated workers who are non-Veterans.**

Serving Separating Services Members and Military Spouses  
Service members exiting the military, including recipients of Unemployment Compensation for Ex-Military members (UCX), generally qualify as dislocated workers. Military spouses of service members exiting the military may also qualify as dislocated workers.

**Youth Program Priority Requirements**WIOA prioritizes expenditures and enrollment of individuals in the Youth Program:

* At least seventy-five (75) percent of Youth program funds must be spent to provide services to OSY; and
* All ISY must be low-income individuals, except as described below under section, Low-income Eligibility Exception for Youth.

Low-income Eligibility Exception for Youth

Up to five (5) percent of all youth (ISY and OSY) enrolled during a given program year do not need to meet the low-income requirement for eligibility.

**EXAMPLE:** A local area enrolled 200 youth and 100 of those youth were OSY who were not required to meet the low-income criteria, 50 were OSY who were required to meet the low-income criteria, and 50 were ISY.

In this example, the 50 OSY required to be low income and the 50 ISY are the only youth factored into the 5 percent low-income exception calculation.

Therefore, in this example 5 of the 100 youth who ordinarily would be required to be low-income do not have to meet the low-income criteria based on the low-income exception.

**Note:** Definitions of key terms are provided in State Policy: [Priority Populations and Priority of Service](https://dol.nebraska.gov/webdocs/getfile/f9920fcd-90b4-40ee-bb8f-c45eb7464145)

**Compliance and Monitoring**

Internal monitoring will be completed quarterly (January, April, July, and October) to ensure priority guidelines are followed. The Administrative Entity will provide a report to the System Coordination Committee on the status. Technical assistance will be provided by the administrative entity if discrepancies are found.

Local area compliance is also reviewed as part of routine program monitoring conducted by the NDOL State Monitor.

**Disclaimer**

This policy is based on Greater Nebraska’s reading of the applicable statutes, regulations, rules and guidance released by the U.S. Government and the State of Nebraska. This policy is subject to change as revised or additional statutes, regulations, rules and guidance are issued.