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Policy Letter #6

TO: All Cumberland County Workforce Development Service Providers

FROM: Tracy Jackson, Interim Director

SUBJECT: Priority of Service Policy

PURPOSE

To establish a policy that provides guidance for Cumberland County Career Center staff to follow when selecting clients for training under funding from the Workforce Innovation and Opportunity Act (WIOA).

BACKGROUND

The authority for this policy derives from Section 134(c)(3)(E) of WIOA which establishes a process by which priority will be applied by the Cumberland County Career Center when enrolling adults and dislocated workers.

The federal Jobs for Veterans Act (PL 107-288) calls for Priority of Service for “Covered Persons” for USDOL funded programs.

ACTION

WIOA requirements establish that all veterans and their spouses will receive priority for all career services and training. Veterans and eligible spouses, including widows and widowers as defined in the statute and regulations, are eligible for priority of service. ***“Veteran” means 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 38 U.S.C. 101(2).***

The Final Rule does not change or add to pre-existing program requirements regarding verification of the eligibility of a veteran or eligible spouse. It is neither necessary nor appropriate for program operators to require verification of the status of a veteran or eligible spouse at the point of entry unless the individual who self-identifies as a veteran or eligible spouse:

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Auxiliary aids and services are available upon request to individuals with disabilities

- a) is to immediately undergo eligibility determination and be registered or enrolled in a program; and,
- b) the applicable federal program rules require verification of veteran or eligible spouse status at that time.

Even in those instances in which eligibility determination and enrollment occur at the point of entry, a veteran or eligible spouse should be enrolled and provided immediate priority and then be permitted to follow-up subsequently with any required verification of his or her status as a veteran or eligible spouse.

Title 18, U.S. Code Part I, Chapter 33, Section 701

Specifically states that: “Whoever manufactures, sells or possesses any badge, identification card or other insignia of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof, or photographs, prints or in any other manner makes or executes any engraving, photograph, print or impression in the likeness of any such badge, identification card, or other insignia, or any colorable imitation thereof, except as authorized under the regulation made pursuant to law, **shall be fined under this title or imprisoned not more than six months, or both.**”

*This requirement **does not apply to state and federal agencies**, does apply to non-profit and for-profit organizations.

When programs are statutorily required to provide priority for a particular group of individuals, priority must be provided in the following order (per TEGL 10-09):

1. Veterans and eligible military spouses who are also included in the groups given statutory priority for WIOA adult formula funds. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient receive priority for services provided with WIOA adult formula funds.
2. Non-covered individuals (those who are not veterans or eligible spouses) who are included in the groups given priority for adult formula funds.
3. Veterans and eligible spouses who are not included in WIOA’s priority groups.
4. Non-covered individuals outside the groups given priority under WIOA.

Priority for services does not preclude service to individuals who are not low-income or not receiving public assistance or not a veteran but rather establishes the order of precedence for service as provided in WIOA section 134(b)(3)(E).

Creation Date

October 2001

Revised Date

July 2020