



RIVERSIDE COUNTY
WORKFORCE INVESTMENT BOARD

**PRIORITY OF SERVICE
FOR WORKFORCE INVESTMENT ACT (WIA)
PROGRAM PARTICIPANTS
*POLICY***

Date: August 2, 2010

Number: 19-03

PURPOSE: The Riverside County Workforce Investment Board (WIB) establishes this policy to provide guidance for the application of Priority of Service for employment and training programs funded under the Workforce Investment Act.

EFFECTIVE DATE: September 30, 2009

REFERENCES: WIA Section [134\(d\)\(4\)\(E\)](#), [101\(25\)](#), [101\(37\)](#), [101\(49\)](#)
Title 20 CFR [663.600](#), [667.255](#), [1010.300](#)
Title 38 U.S. Code [101\(2\)](#), [4213](#), [4215\[a\]](#)
Training and Employment Guidance Letter [TEGL10-09](#)
[Workforce Services Directive WSD08-10](#)
[Workforce Investment Act Directive WIAD04-18](#)
[WIA Eligibility Technical Assistance Guide \(TAG\) §IV](#)

LOCALLY IMPOSED REQUIREMENTS: N/A

BACKGROUND: N/A

DEFINITIONS:
“Eligible spouse” means the spouse of any of the following: 1) Any veteran who died of a service connected disability; 2) Any member on active duty who (at the time of spouse’s application) is listed as missing in action, captured in the line of duty, or forcibly detained or interned in the line of duty by a foreign government or power; 3) Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or, 4) Any veteran who died while a disability was in existence.

“Low income individual” means an individual who: 1) Receives, or is a member of a family that receives, cash payment under a public assistance program; 2) Received an income or is a member of a family whose total income for the past six months prior to application did not exceed the poverty line or 70% of the lower living standard income level; 3) Is a member of a household that receives or has been determined with the last six months to be eligible to receive food stamps; 4) Qualifies as a homeless individual; 5) Is an individual with a disability whose income meets the requirements of the program but who is a member of a family whose income does not meet such requirements.

“Public Assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

“Veteran” means a person who served at least one day in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable.

POLICY:

Pursuant to the WIA, local boards must establish criteria to determine the availability of funds and the process by which any priority will be applied when funds are limited. In addition, all recipients of Department of Labor funds are required by law, in accordance with the Jobs for Veterans Act (JVA), to provide priority of service to veterans and eligible spouses.

I. PRIORITY OF SERVICE FOR VETERANS AND ELIGIBLE SPOUSES

The JVA requires that veterans and/or their eligible spouses must be afforded priority of service over nonveterans for the receipt of WIA-funded workforce development programs including self-directed, informational and staff-assisted activities (i.e., job search assistance, labor market information, comprehensive assessment, training) provided through the county’s Workforce Development Centers. The veterans’ priority of service requirement does not change program eligibility criteria as a veteran and/or eligible spouse must first qualify for the specific program before the priority of service for veterans and eligible spouses is applied. Veterans and/or their eligible spouses must be made aware of:

- Their entitlement to priority of service;
- The full array of employment, training and placement services available; and,
- Applicable eligibility requirements for programs and services.

During periods of funding limitations, veterans and/or their eligible spouses will receive priority of service in accordance with Section II of this policy.

II. PRIORITY OF SERVICE DURING PERIODS OF FUNDING LIMITATIONS

The Director of the Workforce Development Division for the Riverside County Economic Development Agency or designee will invoke the WIA Priority for Services provision when funds are limited. When invoked recipients of public assistance and other low income individuals, and veterans and/or eligible spouses are given priority for intensive and training services offered through the county’s Workforce Development Centers (WDCs) in accordance with the order of priority established in this policy.

Determination of Funding Limitation

The WIA priority of service policy will be implemented when a determination is made that expenditures for WIA-funded intensive and training services have reached a level of 90 percent of total fiscal year

funding at the end of a fiscal year's 3rd quarter. EDA/Workforce Division Management Information Systems (MIS) staff and Management staff shall perform a quarterly review of participant and fiscal reports to determine if a funding limitation exists.

Order of Priority During Funding Limitation

When the WIA Priority for Services provision is invoked, the priorities are as follows:

- First Priority: Veterans and/or eligible spouses who are public assistance recipients or low income individuals who meet existing program eligibility requirements
- Second Priority: Nonveterans who are public assistance recipients or low income individuals who meet existing program eligibility requirements
- Third Priority: Veterans and/or eligible spouses who meet existing program eligibility requirements
- Fourth Priority: Nonveterans who meet existing program eligibility requirements

The WIA regulations state, in accordance with 38 U.S. Code Part 4213, that “any amounts received as military pay or allowance by any person who served on active duty, and certain other specified benefits must be disregarded when determining if a person is a ‘low-income individual’ for eligibility purposes.”

PROCEDURES: N/A

REVISION HISTORY:

Revision Dates: 07/10/2008, 01/01/2005
Original Policy Date: 06/01/2002

/s/ Melissa Reid
Melissa Reid, Program Development Manager