



Adult Priority of Service Policy

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The purpose of this policy is to define a priority of service for the WIOA Adult program operated in this region. In accordance with WIOA provision and regulations, Northeast Missouri Workforce Development Board provides workforce-related services and training to eligible participants to the broadest extent possible.

The NEMO Workforce Development Board concurs with the “Priority of Service” cited in the Act; namely recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. WIOA allows one-stop operators to provide individualized career services to individuals who are not members of these groups.

Priority of Service is defined as the right of eligible covered persons to take precedence over eligible non-covered persons in obtaining DOL-funded services. This means: The covered person receives access to the service or resource earlier in time than the non-covered person. It is important to understand that Priority of Service does not change the intended function of a program or service. Covered persons must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service.

WIOA Section 134(c)(3)(E) identifies five priority groups: recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Below are definitions of each of the priority groups.

In the WIOA Adult and Dislocated Worker Programs, the current law requires that priority for individualized career and training services be given as shown below when adult funds allocated to a local area are limited:

First Priority shall be given to veterans and/or eligible spouses who are recipients of public assistance, are otherwise low income or are basic skills deficient.

Second Priority shall be given to individuals who are not veterans, but are recipients of public assistance, are otherwise low income or are basic skills deficient.

Third Priority shall be given to non-low income veterans and/or eligible spouses.

Fourth Priority shall be given to non-low income adults. **(Requires a Waiver)**

Fifth Priority shall be given to non-covered persons outside the groups given priority under WIOA. **(Requires a Waiver)**

Note: A minimum of 60% of WIOA Adult Title 1 funding will be allocated to First, Second, and Third Priority, and a maximum of 40% of WIOA Adult Title 1 funding will be allocated to Fourth and Fifth Priority. Any changes in these percentages during the program year will need to be approved by the WDB Board and submitted to OWD for approval.

FIRST PRIORITY OF SERVICE

The First Priority of Service shall be given to veterans and/or eligible spouses, who are recipients of public assistance, are otherwise low income or are basic skills deficient. A veteran must meet each program's eligibility criteria to receive services under the respective employment and training program.

For income-based eligibility determinations and for determining priority of service, military pay or allowances paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs are not to be considered as income, in accordance with 38 U.S.C. 4213 and 20 CFR 683.230. **(See ATTACHMENT 18-Veterans Priority of Service 23-2020)**

SECOND PRIORITY OF SERVICE

➤ **Recipients of Public Assistance**

For the purposes of WIOA, a public assistance recipient includes an individual (or an individual who is part of a family) currently receiving, or who in the past 6 months has received assistance through (any of the following programs):

- Supplemental Nutrition Assistance Program (SNAP)
- Temporary Assistance for Needy Families (TANF)
- Supplemental Security Income (SSI); or
- Any other State or local income-based public assistance
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➤ **Other Low-Income Individuals**

WIOA sec. 3(36) defines a low-income individual as someone who receives public assistance as described above or:

- Is in a family with total family income that is 150% or below the current poverty level as identified by HHS or LLSIL whichever is higher;
- Is a homeless individual who meets any of the following criteria outlined in WIOA sec. 3(24)(G)
 - Is sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

- Is living in a motel, hotel, trailer park, or campground due to a lack of alternative adequate accommodations;
- Is living in an emergency or transitional shelter;
- Is abandoned in a hospital; or
- Is awaiting foster care placement;
- Has a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, such as a car, park, abandoned building, bus or train station, airport, or campground;
- Is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work; or
- Is under 18 years of age and absents himself or herself from home or place of legal residence without the permission of his or her family (i.e. runaway youth)

(Note- A participant imprisoned or detained under an Act of Congress or State law does not meet the definition of homelessness. Additionally, a participant who may be sleeping in a temporary accommodation while away from home should not, as a result of that alone, be recorded as homeless.)

- Receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act;
- Is a foster child on behalf of whom State or local government payments are made; or
- Is an individual with a disability whose own income meets the income requirement, but who is a member of a family whose income does not meet this requirement.

➤ **Individuals Who Are Basic Skills Deficient**

WIOA sec. 3(5) defines basic skills deficient as referring to an individual:

- Who is a youth with English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or
- Who is a youth or adult, which 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.

*** Note:** Individuals who are English language learners meet the criteria for "basic skills deficient" and must be included in the priority populations for the Title I Adult program.

THIRD PRIORITY OF SERVICE

The Third Priority of Service shall be given to non-low income veterans and/or eligible spouses.
(See ATTACHMENT 18-Veterans Priority of Service 23-2020)

FOURTH PRIORITY OF SERVICE (Requires a Waiver)

- Fourth Priority of Service will be given to unemployed and/or employed individuals who are not recipients of public assistance or low-income individuals but are within 250% of the current poverty level as identified by HHS or LLSIL whichever is higher, and possess multiple barriers to employment. Those possessing the higher number of barriers will be given preference for individualized career and training services over those with fewer barriers. **A request for waiver to serve individuals in the fourth priority level must be approved by the WDB Executive Director or designee, prior to enrollment into individualized career or training services.**

Barriers to employment will include but not be limited to the following:

- School dropout (an individual who is not attending school and has not received a high school diploma or high school equivalency (HSE) certificate)
- Ex-Offender (an individual who has a record of arrest or conviction of a misdemeanor or felony)
- Older individual (age 55 or older)
- Long-term unemployed (has not been employed for 15 out of the last 26 weeks, concurrently or consecutively, including those that quit or have been fired)
- Lacks significant work history (has not worked full-time or part-time for the same employer longer than 3 consecutive months in the prior two-year period)
- Substance Abuse (an individual who abuses alcohol and/or other substances)
- Migrant Seasonal Farm Worker (an individual whose farm work experience during the preceding 24 months required travel such that the worker was unable to return to his/her residence in the same day)
- Pregnant or Parenting Teen (an individual who is currently a pregnant teen, teen parent or became a parent prior to reaching age 20)
- Unique circumstances as approved by the WDB through a waiver request.

FIFTH PRIORITY OF SERVICE (Requires a Waiver)

All other eligible individuals who do not meet any of requirements for priority of service. **A request for waiver to serve individuals in the fifth priority level must be approved by the WDB Executive Director or designee prior to enrollment into individualized career or training services.**

[Waiver Request Form Fillable](#)