



WIA TITLE I-B AND ARRA ADULT PROGRAM MANAGEMENT POLICIES AND PROCEDURES

MEMORANDUM #10-16A

To: All WIA Title I-B and ARRA Adult Program Subrecipients

Subject: Jobs for Veterans Act and Priority of Service

Supersedes: WIA Title I-B Youth, Adult, Dislocated Worker, and NEG Program Management Policies and Procedures #03-16
WIA Title I-B Youth, Adult, Dislocated Worker, and NEG Program Management Policies and Procedures #03-16, Amendment #1

Effective Date: July 1, 2010

A. BACKGROUND

The Jobs for Veterans Act was enacted into Public Law on November 7, 2002 (P.L. 107-288). The Act made a number of amendments to encourage veterans' access to services within the WorkSource system. A new section of the law established a priority of service requirement applicable to all United States Department of Labor (DOL) programs that offer employment and training related services (P.L. 107-288 Section 4215 (b)). On December 18, 2008, DOL issued new regulations at 20 CFR 1010 regarding veterans' priority for service.

B. POLICY

A "covered person" is entitled to priority of service under all WIA Title I-B and ARRA Adult Programs. "Veterans priority of service" means that any covered person shall be given priority of service over non-covered persons for the receipt of training, employment and placement services provided under the WIA Title I and ARRA funded Adult Programs, notwithstanding any other provision of law.

Covered persons must first meet the program's eligibility requirements, and those determined eligible will receive priority over non-covered persons, with the exception of

the priority of service established by law for the WIA and ARRA Adult Programs. The priority of service for the WIA and ARRA Adult Programs is:

- (1) Eligible covered persons, as defined below, who are recipients of public assistance or are low-income under the Federal definition;
- (2) Eligible non-covered persons who are recipients of public assistance or are low-income under the Federal definition;
- (3) Eligible covered persons who are not low-income under the Federal definition;
- (4) Non-covered persons with a six-month annualized includable income under 175% of the OMB Poverty Level; and
- (5) All other eligible individuals.

This priority of service for covered persons must be publicized on flyers that are to be posted in common areas in every WorkSource site.

C. DEFINITIONS

A "covered person" is defined as one of the following:

- (1) A veteran who is an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable; or
- (2) A recently separated veteran, that is any veteran who applies for participation under this title within 48 months after the discharge or release from active duty in the military, naval, or air service;
- (3) A veteran who is the recipient of a Global War on Terrorism Expeditionary and Service Medal; or
- (4) The spouse of:
 - a. A veteran who died of a service connected disability,
 - b. A member on active duty who (at time of spouse's application) is listed as missing in action, captured in the line of duty, or forcibly detained, or
 - c. A veteran with a total disability from a service connected disability or one who died while being evaluated for it.

The term "Veteran" is defined in WIA Title I Section 101(49).

The term "Covered Spouse" is defined in P.L. 107-288 Section 4215(a).

The term "Priority of Service" is defined in P.L. 107-288 Section 4215(3).