



# Priority of Service for Adults, Veterans and Eligible Spouses Policy

Effective Date: 6.7.16  
Revised Date: 6.9.2021

## I. Purpose:

To provide guidance to One-Stop Operators, and American Job Center (AJC) service providers for the implementation of priority of service for all covered persons and identified populations. This guidance will differentiate the requirements based on a participants’ “point of entry” and their enrollment into a program to receive employment and/or training services.

## II. Definitions:

“Priority of service” means the right to take precedence over a person with lower priority in obtaining employment and training services. WIOA implements priority of service to recipients of public assistance, low-income individuals, and those who are basic skills deficient, as described in TEGL 7-20 (3)(b). These priorities are in addition to the requirements that veterans and their eligible spouses receive priority of service, as described in 20 CFR 680.650.

### A. Priority Populations Defined:

#### 1. Veteran:

A veteran is a person who has served at least one (1) day of active duty in the military, naval, or air service, and who was discharged or released from such services with other than a dishonorable discharge.

The veteran definition of requiring 180 days of active service still applies for career services provided by a Disabled Veteran Outreach Program (DVOP) specialist. The 180-day requirement does not apply to priority of service in USDOL funded employment and training programs. STLWDB ensures that policies, procedures, and staff training reflect the correct eligibility definition.

#### 2. Eligible Spouse:

An eligible spouse must meet one (1) of the following qualifications, as described in VPL 07-09 (VI):

- A spouse of any veteran who died of a service-connected disability;
- A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than ninety (90) days:
  - Missing in action
  - Captured in the line of duty by a hostile force, or
  - Forcibly detained or interned in the line of duty by a foreign government or power;
- A spouse of a veteran who has a disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs; or
- A spouse of any veteran who died while a disability was in existence.

A spouse whose eligibility is derived from a living veteran or service member would lose his or her eligibility if the veteran or service member was to lose the status that is the basis for the eligibility (e.g., if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, a spouse whose eligibility is derived from a living veteran or service member would lose that eligibility upon divorce from the veteran or service member. However, a

spouse who qualifies under categories A or D would not lose covered status through subsequent remarriage.

### **3. Low-Income Individual (LII):**

A low-income individual is defined as a person who meets any of the following criteria and will satisfy the low-income requirement for WIOA Title I Adult Services:

A veteran must meet each program's eligibility criteria to receive services under the perspective employment and training program. In programs that require income-based eligibility to receive services, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA), or Vocational Rehabilitation (VR) disability, or other related Veteran Affairs programs are not considered as income when determining low-income status. Generally, this means many separating service members may qualify for the WIOA Adult Program because it provides services for low-income individuals where military earnings are not to be considered income, in accordance with 38 U.S.C. 4213 and 20 CFR 683.230. Veterans or eligible spouses who are eligible for the GI Bill or other forms of VA funded education or training do not preclude a veteran or the veteran's eligible spouse from receiving WIOA funded services, including training funds. WIOA program operators may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training, in accordance with TEGL 19-16.

#### **Recipient of Public Assistance:**

Individuals who receive, or in the past six (6) months have received, or are a member of a family that is receiving or in the past six (6) months as received assistance through one (1) or more of the following:

- Supplemental Nutrition Assistance Program (SNAP);
- Temporary Assistance for Needy Families (TANF) program;
- Supplemental Security Income (SSI) program; or
- State or local income-based public assistance.

#### **Low-Income Includes:**

- Recipients of public assistance (defined above),
- Individuals in a family with total income below seventy percent (70%) of the lower living standard income level.
- Criteria and Procedures Used to Determine Low-Income Eligibility: Staff will utilize the Low-Income Eligibility Worksheet to determine low-income eligibility. More information concerning individuals who qualify as low-income, and the criteria of that determination, is covered in the Workforce Services Guidance – Income Guidelines for Persons Defined as Low-income Individuals. This document can be found at: <https://www.tn.gov/content/dam/tn/workforce/documents/ProgramManagement/WorkforceServicesGuidance-PersonsDefinedasLow-IncomeIndividuals.pdf>
- Homeless,
- Foster youth, or
- Individuals with disabilities with an income below seventy percent (70%) of the lower living standard income level.

A youth eighteen (18) or older, who was determined to be a low-income individual eligible for the WIOA Title I Youth program, may be co-enrolled in the WIOA Title I Adult program without an additional determination of eligibility. They may be counted as an individual who meets adult priority of service if the original determination was made no more than six (6) months prior to the date of co-enrollment.

Under WIOA, an individual with a disability, whose family does not meet income eligibility criteria, as described in 20 CFR 680.640, will qualify for priority as a low-income adult, per WIOA Section 3(36).

**4. Basic Skills Deficient:**

WIOA defines basic skills deficient as “an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual’s family or in society.” It is expected that any such basic skills deficiencies will be determined by an objective, valid, and reliable assessment such as the Comprehensive Adult Student Assessment (CASAS) or Tests of Adult Basic Education (TABE).

The participants file must contain academic tests (including the participants name, date of test and results)

**5. Underemployed:**

Individuals are employed full or part-time and must also meet the definition of low-income individual to be eligible for the adult priority.

**6. Covered Person:**

An individual who meets the above definition of veteran or eligible spouse.

**III. “Point of Entry” Priority of Service**

Any covered person who is seeking WIOA services must be provided priority of service at their “point of entry” into the workforce system. The “point of entry” includes physical locations, such as the AJC’s, as well as websites and other virtual service delivery. The following items must be detailed and defined:

- Identifying veterans and other covered persons using Military Service Eligibility Triage Form - Comprehensive/Affiliate (April 2021) when they visit service delivery points (Attachment A is included as attachment),
- Identifying other priority of service participants by using the self-assessment form.

**IV. Employment and Training Priority of Service:**

The priority of service for veterans and eligible spouses always applied across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals and individuals who are basic skills deficient is a statutory priority that applies only to the recipient of individualized career and training services in the WIOA Title I Adult Program, as described in TEGl 7-20(4).

**A. How to Apply Priority of Service:**

Priority of service must be provided in the following order, per TEGL 7-20(4)(a):

1. Veterans and eligible spouses who are recipients of public assistance, low-income individuals or individuals who are basic skills deficient receive priority of service.
2. Individuals (not veterans or eligible spouses) who are recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners) and Title I Adult program eligible.
3. Veterans and eligible spouses who meet Title I Adult program eligibility.
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (such as public assistance recipients, other low-income individuals including underemployed or those who are basic skills deficient) but do meet discretionary criteria established and the Title I Adult program eligibility.
5. Unemployed but do not meet the definition of low income;

**AND** is an individual with the following barriers to employment:

- Indians, Alaska Native and Native Hawaiians
- Individuals with disabilities whose own income exceeds low-income guidelines
- Older individuals – (age 55 or older)
- Ex-offenders
- Individuals who have aged out of the foster care system
- Individuals who face substantial cultural barriers attitudes, beliefs, customs, or practices that include a way of thinking acting or working that may serve as a barrier to employment).

**OR;**

- Employed less than full-time who are seeking full-time employment;
  - Employed in a position that is inadequate with respect to their skills and training;
  - Employed but whose current job’s earnings are not sufficient compared to their earnings from their previous employment.
  - An adult living in a **Distressed or At-Risk County, as defined by the annual Appalachian Regional Commission (ARC) Index of County Economic Status**, that lacks the skills, experience, and/or credential for which training will be provided, including occupational skills training and work-based training such as Apprenticeships or On-the-Job Training:  
[https://www.arc.gov/images/appregion/economic\\_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf](https://www.arc.gov/images/appregion/economic_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf)
  - An adult participating in Apprenticeship Programs, including employer developed apprenticeship programs or Pre-Apprenticeship programs, that need assistance with the cost of training and instruction and/or supportive services that enable them to participate.
6. Persons outside the groups given priority under WIOA but do meet Title I Adult Program eligibility.

Enrollment as a, 4<sup>th</sup> or 5<sup>th</sup> priority participant must be documented on the following:  
Attachment B – Adult Priority of Service 4<sup>th</sup> or 5<sup>th</sup> Priority Enrollment Form.

**B. Percentage of Priority Populations Served:**

The expectation is that seventy-five percent (75%) of individuals enrolled in the Title 1 Adult program must be a recipient of public assistance, low-income, or basic skills deficient as identified in the above section as priority of service level one (1) and two (2). A priority group that is identified by the Governor of Tennessee or the SETLWDB will not count towards the 75%. Priority of service level four (4), five (5) and six (6) must be limited to the 25%.

**V. Monitoring**

Monitoring to this policy will be ongoing throughout the year to ensure the 75% marker on priority of service levels appropriately dispersed and quarterly case files will be monitored for compliance and documentation. The OSO also is responsible for monitoring the Priority of Service engagement, as a part of the welcome function team daily.

**Attachment:**

Attachment A - Military Service Eligibility Triage Form - Comprehensive/Affiliate (April 2021)  
Attachment B – Adult Priority of Service 4<sup>th</sup> and 5<sup>th</sup> Priority Enrollment Form

**AUTHORIZED BY:**

  
\_\_\_\_\_  
Michele Holt, Director, Workforce Development 6/9/21  
Date

**APPROVED BY:**

  
\_\_\_\_\_  
John Proffitt, Chair, Workforce Development Board 6.9.21  
Date

*Priority of Service for Adults, Veterans and Eligible Spouses; Effective 6.7.16; Revised 6.9.2021.*

SECTION A

**Have you or your spouse ever served in the United States Military?**  Yes  No

**Name**  **City/State where residing**  **Cell/Home Phone**

**Email Address**  **Dates Served:** from  to  ; from  to

**What was your Character of Service at discharge?**  Honorable  Dishonorable  Other

**What brings you into an American Job Center today?**

Employment  Unemployment  Shelter  Training  Benefits (State, VA)  Other

SECTION B

**Are you an eligible Veteran who served between the years 1961-1975 and meets one of the following:**

I served in the Republic of Vietnam between 2/28/1961 and 5/7/1975  
 I served (regardless of location) between 8/5/1964 and 5/7/1975

**Are you an eligible Veteran aged 18 to 24?**  Yes  No

**Are you a Transitioning Service Member who attended a Transition Assistance Program (TAP) workshop and:**

Are between the ages of 18-24 years old?  
 An active duty service member being involuntarily separated through a service reduction-in-force?  
 Do not meet career readiness standards (CRS)?

**Are you a wounded, ill, or injured Service Member, receiving care at a Warrior Transition Unit (WTU) or Military Treatment Facility (MTF)?**  Yes  No

**Are you a caregiver for a wounded, ill, or injured Service Member, receiving care at a WTU or MTF?**  Yes  No

*If you checked any of the boxes or answered "yes" to any of the questions in this section, you may be referred for additional services if desired. If you did not answer "yes" or did not check a box to any of the questions above, please proceed to Section C.*

SECTION C

**Are you a Veteran who (check all that apply):**

Served on active duty for a period of **more** than 180 consecutive days? (This includes Title 10 orders.)  
 Was discharged or released from active duty because of a service-connected disability?  
 Served in support of a conflict or campaign?  
 Was released from service under a Sole Survivorship discharge?

**Are you a Spouse of a Veteran who:**

Died of a service-connected disability, or while a disability was being evaluated?  
 Has been classified as a missing, captured, or detained Service Member?  
 Is 100% Total and Permanent Disabled?

*If you checked any of the boxes in this section, please proceed to Section D and mark all applicable options.*

SECTION D

**Are you an eligible Veteran or eligible Spouse (check all that apply):**

Receiving VA disability compensation or have a claim pending to receive compensation?  
 Who is Homeless/At Risk – or lacks fixed, regular nighttime residence or fleeing a violent situation?  
 Recently-separated service member unemployed for 27 or more weeks in the previous 12 months?  
 Who is incarcerated or has ever been incarcerated?  
 Who lacks a High School Diploma or equivalent certificate?  
 Who is low income, receiving public assistance, housing, food, TANF, or other programs?

*If you checked any of the boxes in this section, you may be referred for additional services if desired.*

**Customer Participant Statement**

*By signing below, customer has self-attested and acknowledges their status as listed in the sections above.*

**Customer Signature/Initials**  **Date:**

*Do Not Write – Staff Use Only*

**Referred to (Vet Staff Name)**  **Referred by (Your Name):**  **Date:**

# ELIGIBILITY TRIAGE DEFINITIONS 04-2021

## SECTION A

- **Priority of Service** – Veterans and eligible Spouses are given priority over non-covered persons.
- **Service Dates** - Enter the date(s) you served on Title 10 active duty, in a campaign or expedition.
- **Character of Service** - List the character of service at discharge, as indicated on the DD214.
- **American Job Center (AJC) Visit** – The Veteran will often enter the AJC to seek assistance for programs other than employment. It is important to discuss with the Veteran the specific assistance they might need and then refer them to the appropriate program, counselor, or a partnering agency.

## SECTION B – Special Populations

- **Vietnam Era Veteran** – Any eligible Veteran whose active military service was during the Vietnam era, between 2/28/1961 and 5/7/1975 if service was in the Republic of Vietnam, OR between 8/5/1964 and 5/7/1975 for all other service.
- **Veterans aged 18-24** – Eligible Veterans aged 18 to 24.
- **Transitioning Service Member** – Military service member who is within 12 months of separating or 24 months of retirement from active duty service, has attended a **Transition Assistance Program (TAP)** and meets one of the following:
  - Is between the **age of 18 -24**
  - Service member being involuntarily separated from active service due to a **reduction in force (RIF)**
  - Service member has been determined by their command to not meet **career readiness standards (CRS)**; member has a copy of their DD 2648.
- **Wounded - Transitioning Service Member** - Member of the Armed Forces who is wounded, ill or injured and receiving treatment in a military treatment facility (MTF) or a warrior transition unit (WTU).
- **Caregiver of a Wounded Transitioning Service Member** - Family member (parent, spouse, child, step-family member or extended family member) of a Wounded – Transitioning Service Member or a non-family member who lives with AND provides personal care services to the Wounded – Transitioning Service Member.

## SECTION C – Eligible Veterans & Eligible Spouses

- **Veteran – 180 Days** - Served on active duty for a period of more than 180 consecutive days (active duty training does not count toward the 180 days for National Guard or Reservists), and was discharged or released from such duty with a discharge other than “dishonorable.” This includes Title 10 orders.
- **Veteran – Disabled** - Discharged or released from active duty because of a service-connected disability.
- **Veteran – Conflict or Campaign** - As a member of a reserve component unit served on active duty during a period of war or during a campaign or expedition for which a campaign badge is authorized, and was discharged or released from such duty with a discharge other than “dishonorable.”

- **Sole Survivor-Veteran** who was discharge or released by reason of a sole survivorship discharge.
- **Spouse of Deceased Disabled Veteran** - Spouse of a Veteran who died of a service-connected disability.
- **Spouse of a Missing Service Member** - Spouse of any member of the Armed Forces serving on active duty who, at the time of application for services, is listed as one or more of the following categories and has been so listed for a total of more than 90 days: a) missing in action, b) captured in the line of duty by hostile forces, or c) forcibly detained or interned in the line of duty by a foreign government or power.
- **Spouse of a 100% Disabled Veteran** - Spouse of any person who has a total disability permanent in nature resulting from a service-connected disability or the spouse of a Veteran who died while a disability so evaluated was in existence.

## SECTION D

- **Disabled Veteran** - A special disabled Veteran or disabled Veteran (as defined by U.S.C. 38 4211 (1) and (3)) who: a) is entitled to compensation (or who but for the receipt of retired military pay would be entitled to compensation) from the VA; b) was discharged or released from active duty because of a service connected disability; c) has a disability rating of 10% or higher provided by the VA or a military service issued disability determination; or d) any Veteran who attests to having a disability claim pending with the VA.
- **Homeless Veteran** - A Veteran who: a) lacks a fixed, regular, adequate nighttime residence; b) has a primary residence that is a publicly or privately operated shelter designed to provide temporary living accommodations or a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings; or c) any individual or family who is fleeing or is attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life-threatening conditions in the individuals' or family's current housing situation; and who have no other residence and lack the resource or support networks to obtain other permanent housing.
- **Recently Separated Veteran** – Unemployed - A Veteran within 36 months of their separation from active duty service in the military AND who at any point in the previous 12 months has been unemployed for 27 or more weeks.
- **Incarcerated Veteran** – A Veteran offender, as defined by WIOA Section 3(38) who is currently incarcerated, or who has been released from incarceration.
- **Veteran lacking a GED/High School Diploma** - A Veteran without a high school diploma or equivalent certificate.
- **Low-income Veteran** - A Veteran who meets the Workforce Innovation and Opportunity Act definition in WIOA Sec 3(36). WIOA defines a “low-income individual” as one whose total family income does not exceed the higher level of the poverty line or 70% of the Lower Living Standard Income Level (LLSIL). For more information, consult your state's WIOA administrative entity.

**Southeast Tennessee Local Workforce Development Area  
Adult Priority of Service 4<sup>th</sup> and 5<sup>th</sup> Priority Enrollment Form**

Customer Name: \_\_\_\_\_

VOS ID: \_\_\_\_\_

Career Specialist: \_\_\_\_\_

Date: \_\_\_\_\_

It is the intent of the Workforce Innovation and Opportunity Act and STLWDA to give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Veterans have priority over non-veterans in these groups. After applying priority of service, applicant meets the following Adult Priority:

**Priority populations established by the local board:**

**4<sup>th</sup> Priority:** The WIOA eligible adult must meet the following categories (check all that apply):

- Unemployed but do not meet the definition of low-income  
**AND** must also have one of the following barriers to employment (attach supporting documentation)
  - Indians, Alaska Native and Native Hawaiians
  - Individuals with disabilities whose own income exceeds low-income guidelines
  - Older individuals (age 55 or older)
  - Ex-offenders
  - Homeless individuals
  - Individuals who have aged out of the foster care system
  - Individuals face substantial cultural barriers
  - Single parents (including pregnant women)
  - Long-term unemployed individuals (unemployed 27 weeks or more)

**OR;**

- Employed less than full-time who are seeking full-time employment;
- Employed in a position that is inadequate with respect to their skills and training;
- Employed but whose current job's earnings are not sufficient compared to their earnings from their previous employment.
- Adult living in a **Distressed or At-Risk County, as defined by the annual Appalachian Regional Commission (ARC) Index of County Economic Status**, that lacks the skills, experience, and/or credential for which training will be provided, including occupational skills training and work-based training such as Apprenticeships or On-the-Job Training  
[https://www.arc.gov/images/appregion/economic\\_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf](https://www.arc.gov/images/appregion/economic_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf)
- An adult participating in Apprenticeship Programs, including employer developed apprenticeship programs or Pre-Apprenticeship programs, that need assistance with the cost of training and instruction and/or supportive services that enable them to participate.

**5<sup>th</sup> Priority: Non-covered persons outside the groups given priority under WIOA or the local board**

- Applicant meets Adult Eligibility but does not fall into priority 1-4

\_\_\_\_\_  
Career Specialist Signature

\_\_\_\_\_  
Date