

Veterans' Priority of Service Policy

One-Stop Centers are required to implement Veterans' Priority of Service because they are the delivery point for a significant percentage of qualified job training programs and services.

Definitions

1. Priority of Service

Priority of services means (with respect to any qualified job training program) that a covered person shall be given priority over a non-covered person for the receipt of employment, training and placement services provided under that program.

2. Covered Person

As defined in the Federal Rule (Part II, 20CFR Part 1010), a covered persons means a veteran or eligible spouse of a veteran.

3. Veteran

A Veteran is defined as *“a person who served in the active military, naval or air service and who was discharged or released there from under conditions other than dishonorable.”* Active services include full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.

4. Eligible Spouse

The term “eligible spouse” means:

- A. the spouse of any persons who died of a service-connected disability;
- B. the 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 days:
 - i. missing in action;
 - ii. captured in line of duty by hostile force; or
 - iii. forcibly detained or interned in line of duty by a foreign government or power;
- C. the spouse of any persons who has a total disability permanent in nature resulting from a service-connected disability; or
- D. the spouse of a veteran who died while a disability so evaluated was in existence.

The United States Department of Labor (USDOL) provides additional clarification for “A” and “D” above by indicating that the re-marriage of the spouse would not terminate their eligibility. However, if a spouse becomes divorced from a veteran under “B” and “C” above, eligibility for priority of service is terminated.

It is further understood that this policy does not exclude from eligibility spouses who were not citizens at the time that the veteran was discharged or retired, nor does it stipulate that a spouse had to be married to a veteran at the time of his or her discharge or retirement.

5. Qualified Job Training Program

This Priority of Service policy applies to any program or service for workforce preparation, development or delivery that is directly funded, in whole or in part, by the USDOL. A list is attached to this policy.

Implementation

1. Effective the date of this policy, each ONEWORKSOURCE Center, Affiliate and Access Point must have signage at or near the entrance encouraging customers to identify themselves as Veterans or eligible spouses of Veterans and the benefits of such self-identification.

It is strongly advised that signage also be placed in strategic locations and high traffic areas throughout the Centers.

Each location will create signage until such time as the United States Department of Labor (USDOL) provides signage.

2. The job seeker section of the North Country Workforce Partnership website will include language that clearly identifies this Veterans' Priority of Service Policy.

3. Application of Priority of Service by All Sub-Recipients

This policy requires all qualified job training (including those obtained through Requests For Proposal (RFP)) be administered in compliance with priority of service.

The North Country Workforce Board has added language to its contract boilerplate and RFP documents to ensure awareness of priority of service requirements.

4. Functional Alignment/Customer Flow

Each ONEWORKSOURCE One-Stop Center is required to amend their Customer Flow to include Veterans' Priority of Service. Customer Flow should include a protocol that ensures staff provides priority of service to Veterans and eligible spouses and to serving these customers first.

Customer Flow protocol requires that the Greeter/Receptionist ask each customer if they are a veteran or eligible spouse; additionally, staff should explain that Veterans and eligible spouses get priority of service. No verification of status at registration is required. Verification of his or her status is required at enrollment.

The Initial Assessment process will be amended to include Veterans or spouse of eligible Veterans determination using the attached worksheet. This worksheet is a tool; it will not be kept once data is entered into OS/OS.

Compliance

Monitoring priority of service will be performed jointly between the North Country Workforce Investment Board (NCWIB) and NYSDOL. Failure to provide priority of service to covered persons will be handled in accordance with the NCWIB's established compliance review processes. In addition to the remedies available under the compliance review processes, a corrective action plan to correct such failure may be required.

Application of Priority of Services

1. Universal Assess Programs

These programs operate or deliver services to the public as a whole; they do not target specific groups. These programs are required to provide priority of service to covered programs.

2. Discretionary Targeting Programs

These programs focus on a particular group or make efforts to provide a certain level of service to such a group, but do not specifically mandate that the favored groups be served before other eligible individuals. Covered persons must receive the highest priority for the program or service, and non-covered persons within the discretionary targeting will receive priority over non-covered persons outside the discretionary targeting.

3. Statutory Targeting Programs

These programs are derived from a Federal statutory mandate that requires a priority of preference for a particular group of individuals. Covered persons who meet the mandatory priorities must receive the highest priority for the program or service. Non-covered persons within the program's mandatory priority must receive priority for the program or service over the covered persons outside the program-specific mandatory priority. Covered persons outside the program-specific mandatory priority must receive priority for the program or service over non-covered persons outside the program-specific mandatory priority.

- a) American Recovery and Reinvestment Act (ARRA) of 2009 (The Recovery Act) as found in USDOL/ETA TEGL No. 14-08 mandates priority use of WIA Adult formula funds for services to recipients of public assistance and other low-income individuals. Importantly, this statutory targeting of WIA Adult Recovery Act funds places priority of service for non-veteran recipients of public assistance or non-veterans low-income individuals before veterans who are not classified as recipients of public assistance or low-income

Veterans' Priority of Service Qualified Programs

(Resource Document to Provide Guidance to Front-line and Impacted Staff)

Priority of service applies to USDOL-funded workforce preparation programs. Most of those programs have only general program eligibility requirements and do not target specific participant groups (universal targeting programs). However, USDOL also administers programs that have existing statutory targeting provisions (discretionary and statutory targeting) that must be taken into account when applying veterans' priority.

The programs in which veterans receive priority of service include:

Wagner-Peyser Funded Program

All employers seeking workers and all individuals legally authorized to work in the United States and seeking work for any reason (regardless of whether they are currently employed) are eligible for services. Veterans receive priority, with disabled veterans give preference over other veterans.

Trade Adjustment Assistance (TAA) and Alternate Trade Adjustment Assistance (ATAA)

Veterans receive priority service if eligibility requirements are not met relating to the workers' lay-off or work reduction.

National Emergency Grants

Veterans receive priority of service for funds received under the National Emergency Grant Program.

Workforce Investment Act of 1998

This act sets overall WIA policy goals, yet provides considerable discretion to Boards for implementation of WIA services. WIA requires that Boards document the eligibility of adult, dislocated worker and youth participants served with WIA funds in their local workforce investment areas. Veterans receive priority of service depending on the specific eligibility requirements established at the local level.

Senior Community Service Employment Program (SCSEP)

This a community service and work-based training program for older workers. Program participants must be at least 55 and have a family income of no more than 25% over the Federal Poverty Level. Enrollment priority is given to persons over age 60, veterans and qualified spouses of veterans. Preference is given to minority, limited English-speaking, Indian-eligible individuals. Preference is also given to eligible individuals who have the greatest economic need.

Indian and Native American Programs (INAP)

This program provides quality employment and training services to Native American communities. Veterans receive priority of service if they are Native Americans.

Migrant and Seasonal Farmworkers

This program serves the American farmworker population. The National Farmworker Jobs Program is a nationally directed program of job training and employment assistance for migrant and seasonal farmworkers. Veterans receive priority of service if they qualify as a migrant or seasonal farmworker.

Workforce Innovation in Regional Economic Development (WIRED)

WIRED goes beyond traditional strategies for worker preparation by bringing together state, local and federal entities; academic institutions (including K – 12, community colleges and universities); investment groups, foundations; and business and industry to address the challenges associated with building a globally competitive and prepared workforce. Training and employment assistance provided by WIRED funds qualify for veterans' priority of service.

Community-Based Job Training Grants

The purpose of this competitive grant program is to build the capacity of community colleges to train workers in the skills required to succeed in high growth, high demand industries. Training provided under these grants is subject to veterans' priority of service.

H-1B Technical Skills Training Grant

These funds support skill training programs for unemployed and employed workers with the longer term goal of raising the skills levels of domestic workers so they can fill high skill jobs which are presently being filled by temporary workers being admitted to the United States under the provisions of H-1B. Training provided under these grants is subject to veterans' priority of service.

ETA's Electronic Workforce Tools, such as CareerOneStop

The CareerOneStop Website (www.careeronestop.org) is an integrated suite of national websites that help businesses, job seekers, students and workforce professionals find employment and career resources. Electronic usage is not subject to veterans' priority of service; however, services/programs requested via electronic usage may qualify for priority of service.

Prisoner Re-Entry Initiative

This initiative is designed to strengthen urban communities through an employment-centered program that incorporates mentoring, job training and other comprehensive transitional services. This program seeks to reduce recidivism by helping former inmates find work when they return to their communities. Veterans receive priority of service if they qualify as former inmate.

Miscellaneous

Projects authorized under WIA (Section 117), including grants to smaller or grassroots entities such as faith-based and community organizations, and Offender grants under the Youth Offender Initiative and the Serious and Violent Offender Reentry Initiative. Check local policy regarding applicability and eligibility with regards to veterans' priority of service.

Jobs for Veterans Determination Worksheet

Customer's Name _____

Participant ID Number (is any) _____

Are You a Veteran? _____ **YES** _____ **NO**

If "YES"

Did you serve in the active military, naval or air service? _____ Yes _____ No

Were you discharged or released under conditions other than dishonorable? _____ Yes _____ No

If the customer can answer "Yes" to ***both*** of these questions, then he/she qualifies as a "covered person" under the Jobs for Veterans Act (JVA).

Are you married to a Veteran? _____ **YES** _____ **NO**

If "YES"

Does your spouse have a total disability resulting from a service-connected disability? _____ Yes _____ No

Is your spouse listed as forcibly detained or interned by a foreign government or power, missing in action or captured in the line of duty, and has been so listed for a total of more than 90 days? _____ Yes _____ No

If the customer can answer "Yes" to ***either*** of these questions, then he/she qualifies as a "covered person" under the Jobs for Veterans Act (JVA).

Are you a surviving spouse of a Veteran? _____ **YES** _____ **NO**

If "YES"

Did your spouse die of a service-connected disability? _____ Yes _____ No

Did your spouse die while a total disability resulting from a service-connected disability? was in existence? _____ Yes _____ No

If the customer can answer "Yes" to ***either*** of these questions, then he/she qualifies as a "covered person" under the Jobs for Veterans Act (JVA).

DETERMINATION

Based on the information proved to me by the customer, I have determined that this individual

_____ **IS** _____ **IS NOT** a covered person under the Job for Veterans Act.

Workforce Professional

_____/_____/20_____
Date