

Area 14 Workforce Development Board

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Priority of Service for Veterans and Eligible Spouses

Area 14 Policy 14.15-20.2

Effective: May 15, 2019

Revised: November 20, 2019



I. Purpose

To outline requirements for the 14 Workforce Development Board and partner OhioMeansJobs centers (Athens, Meigs and Perry counties, hereinafter referred to as “OMJ Center”) implementation of priority of service to veterans and eligible spouses for all DOL funded training programs.

II. Effective:

Immediately

III. Background

Recipients of DOL funds for qualified job training programs have been required to provide priority of service since 2002 as outlined in the Jobs for Veterans Act (JVA), Public Law (P.L.) 107-288. The publication of 20 C.F.R. Part 1010, Priority of Service for Covered Persons; Final Rule, which took effect on January 19, 2009 declares that recipients of DOL funds for these job training programs should review and, if necessary, enhance their current policies and procedures to ensure that acceptable protocols are in place.

IV. Definitions

Definitions can be found in WIOAPL No. 15-20.2

V. Requirements

Priority of service means that covered persons are given priority over non-covered persons for the receipt of employment, training, and placement services funded in whole or in part by DOL, including Wagner-Peyser, Trade Adjustment Assistance (TAA), Workforce Innovation and Opportunity Act, Senior Community Service Employment Program, Indian and Native American Programs, Migrant and Seasonal Farmworkers, Workforce Innovation in Regional Economic Development Competitive Grants, and National Dislocated Worker Grants. All DOL funded grant recipients must implement and comply with locally developed priority of service policies. All program operators are required to ensure that priority of services is applied to all subrecipients of DOL funds.

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VI. Procedures

Veterans and spouses should be notified of their priority of services on posters and flyers in the entrance of each Ohio Means Job Centers, in the resource room and on the local websites for each Area 14 Ohio Means Jobs site.

Individuals entering Ohio Means Jobs Centers are identified at the point of entry upon completing registration.

Utilizing the Veteran Questionnaire (JFS Form 01863), an individual who is identified as a veteran or covered person will be referred through the designated workflow identified in the attached diagram. During the intake process, designated staff will further explore the covered person's veteran status (e.g., number of days served and discharge status) and assess whether or not the covered person has a significant barrier to employment. If the covered person has at least one of the identified barriers to employment and meets the definition of eligible veteran or eligible spouse or any other service group identified by the Jobs for Veterans State Grant (JVSG) along with the time and service requirements, they will be referred to the assigned Disabled Veteran Outreach Program Specialist.

The Veteran Questionnaire also gives permission for staff and Ohio Means Jobs Center partners to exchange and disclose necessary information in order for services to be provided by all programs being administered by OhioMeansJobs centers and/or other partners.

Programs with Statutory Priorities

Priority for WIOA adult-funded individualized career and training services is given to low-income individuals, recipients of public assistance, and individuals who are basic skills deficient. When determining if a veteran or eligible spouse is a "low income individual" for eligibility purposes, amounts paid while on active duty or paid by the Department of Veteran Affairs (VA) for vocational rehabilitation, disability, or related VA-funded programs are not to be considered as income.

A low-income veteran or eligible spouse takes precedence, with all other qualifying requirements being equal, over a low income non-covered person in obtaining individualized career services and training services. This does not allow for "bumping" of non-covered persons who had previously been accepted into a program prior to the covered person applying within the same program. However, if there is a waiting list, the veterans or eligible spouses receive access to the service instead of or before the non-covered person on the waiting list.

VII. Data Collection

Training and Employment Guidance Letter (TEGL) No. 10-09 provides direction regarding the collection of data for serving veterans and eligible spouses and the implementation of priority of service. OMJ's must ensure that all appropriate information regarding identified veterans or eligible spouses has been entered in the Ohio online case management system.

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VIII. Monitoring

The Ohio Department of Jobs and Family Services Veteran Program Managers, and the local OhioMeansJobs Center operator shares monitoring responsibilities through regular partner meetings. Monitoring responsibilities include a review of the implementation of internal policies and procedures and how they are in compliance with the priority of service requirements. All OhioMeansJobs Center staff and state merit staff receive in-service training on the implementation of priority of service for veterans and eligible spouses thru webinars, and regular partner meetings. Priority of Service information must be posted in all OMJ Centers. This will be reviewed on a yearly basis as part of the internal monitoring procedures.

IX. References

Workforce Innovation and Opportunity Act, §§ 3(36)(A)(i)(ii) and 3(38), Pub. L. 113-128.

20 C.F.R. §§ 680.650 – 680.660.

Jobs for Veterans Act, § 2(a), Pub. L. 107-288, (codified at 38 U.S.C. § 4215).

Priority of Service for Covered Persons; Final Rules, 73 FR 78142 - 78144 (December 19, 2008).

20 C.F.R §§ 1010.110 – 1010.200 (2008).

38 U.S.C. § 4211.

USDOL, Training and Employment Guidance Letter No. 19-13, Change 2, Expansion and Clarification of Homeless Definition as a Significant Barrier to Employment (SBE), (October 30, 2015).

USDOL, Training and Employment Guidance Letter No. 19-13, Change 1, Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program (DVOP), (February 11, 2015).

USDOL, Veterans' Program Letter No. 03-14, Change 1, Expansion and Clarification of Definition of Significant Barriers to Employment for Determining Eligibility for the Disabled Veterans' Outreach Program (DVOP), (February 11, 2015).

USDOL, Training and Employment Notice No. 10-14, American Job Center (AJC) Participation in Capstone Activities and Other Outreach to Transitioning Service Members, (September 29, 2014).

USDOL Veterans' Program Letter No. 08-14, Designation for Additional Populations Eligible for Services from Disabled Veterans' Outreach Program (DVOP) Specialists: Transitioning Service Members in need of Intensive Services; and Wounded, Ill, or Injured Service Members Receiving Treatment at Military Treatment Facilities or Warrior Transition Units (MTFs - WTUs); and the Spouses and Family Caregivers of such Wounded, III or Injured Service Members, (September 26, 2014).

USDOL, Training and Employment Guidance Letter No. 20-13, Change 2, Designation of Additional Population of Veterans Eligible for Services from the Disabled Veterans' Outreach Program Specialists, (April 10, 2014).

USDOL, Training and Employment Guidance Letter No. 19-13, Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, (April 10, 2014).

USDOL Veterans' Program Letter No. 04-14, Designation for Additional Population of Veterans Eligible for Services from Disabled Veterans Outreach Program Specialist – Veterans Ages 18-24, (April 10, 2014).

USDOL Veterans' Program Letter No. 03-19, Designation of Additional Populations Eligible for Services from Disabled Veteran's Outreach Program Specialists, (February 7, 2019).

USDOL Veterans' Program Letter No. 03-14, Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans, (April 10, 2014).

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USDOL, Training and Employment Notice No. 15-10, Protocol for Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL), (November 10, 2010).

USDOL, Training and Employment Guidance Letter No. 10-09, Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor (DOL), (November 10, 2009).

USDOL Veterans' Program Letter No. 07-09, Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor, (November 10, 2009).

ODJFS, Workforce Innovation and Opportunity Act Policy Letter No. 17-01, Mandate Use of OhioMeansJobs.com, (September 15, 2017).