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SAN JOAQUIN COUNTY WORKNET EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT POLICIES AND PROCEDURES DIRECTIVE

DIRECTIVE NO.	EFFECTIVE DATE	APPLICABILITY	PAGE
23-08	February 26, 2024	CMD	1 of 6
SUBJECT: WIOA ADULT PRIORITY OF SERVICE			

I. PURPOSE

The purpose of this directive is to provide the guidance and establish procedures regarding the priority of service requirements for veterans and their eligible spouses for U.S. Department of Labor (DOL) funded program and services in accordance with the Workforce Innovation and Opportunity Act (WIOA) of 2014. This policy applies to all recipients and subrecipients of WIOA Title I and Title III funding and is effective immediately.

II. GENERAL INFORMATION

The [WIOA Sec. 134\(c\)\(3\)\(E\)](#) establishes a priority requirement with respect to funds allocated to a local area for adult employment and training activities. Under this section, American Job Center staff when using WIOA Adult funds to provide individualized career services, training services, or both must give priority to recipients of public assistance, other low-income individuals and individuals who are basic skills deficient. In addition, [WSD 19-04, Priority of Service for Eligible Veterans and Spouses](#) establishes that Veteran and eligible spouses who meet the WIOA Adult program eligibility criteria under [WIOA Section 134\(c\)\(3\)\(E\)](#) receive priority of service among all eligible individuals.

WIOA divides required employment and training activities into two categories: career services and training services.

This PPD supersedes PPD D-12 Workforce Innovation and Opportunity Act Adult Priority of Service dated July 1, 2016.

Definitions

The term "public assistance" is defined as Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

The term "low-income individual" is defined as an individual who:

1. receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the [Food and Nutrition Act of 2008 \(7 U.S.C. 2011 et seq.\)](#), the program of block grants to States for temporary assistance for needy families program under [part A of title IV of the Social Security Act \(42 U.S.C. 601 et seq.\)](#), or the supplemental security income program established under [title XVI of the Social Security Act \(42 U.S.C. 1381 et seq.\)](#), or State or local income-based public assistance;
2. is in a family with total family income that does not exceed the higher of (I) the poverty line; or (II) 70 percent of the lower living standard income level;
3. is a homeless individual (as defined in section 41403(6) of the [Violence Against Women Act of 1994](#) H. R. 803—12(42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 725(2) of the [McKinney-Vento Homeless Assistance Act](#) (42 U.S.C. 11434a (2)));
4. receives or is eligible to receive a free or reduced-price lunch under the [Richard B. Russell National School Lunch Act](#) (42 U.S.C. 1751 et seq.);
5. is a foster child on behalf of whom State or local government payments are made; or
6. is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

The term "basic skills deficient" is defined with respect to an individual who:

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

The term "Non-Covered Person" is defined as any individual who neither meets the definition of veteran nor the definition of eligible spouse.

References

- [WIOA \(Public Law 113-128\) Sections 3 and 134](#)
- [Title 20 Code of Federal Regulations \(CFR\) "WIOA, Notice of Proposed Rule Making" \(NPRM\), Sections 680.150, 680.600, 680.610, and 680.650](#)
- [WSD15-14, WIOA Adult Program Priority of Service](#)
- [WSD19-04, Priority of Service for Veterans and Eligible Spouses](#)

III. POLICY

To ensure priority of service is given to the appropriate individuals, the Employment and Economic Development Department (EEDD) will ensure a minimum of 51% of all WIOA enrolled adults meet one or more of the categories for priority of service for activities requiring such determination, Priority of service will not apply to self-directed career services.

Enrollments characteristics will be reviewed annually to ensure compliance with the policy.

IV. PROCEDURE

Priority of service must be given to individuals enrolling as an Adult who are veterans, recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.

Staff will review all applicants for priority of service factors when registration and eligibility determination is needed for receipt of adult funded employment and training services. Priority of service criteria and documentation will be recorded in the CalJOBS system during the eligibility process. Verification of priority factors will be maintained in the client's case management file.

Priority must be provided in the following order:

1st Priority – Veterans and eligible spouses who are:

- low income, or,
- recipients of public assistance, or,
- who are basic skills deficient

2nd Priority – Individuals who are:

- low income, or,
- recipients of public assistance, or,
- who are basic skills deficient
- .

3rd Priority – Veterans and eligible spouses who are:

- not low income, and,
- not recipients of public assistance, and,
- not basic skills deficient.

4th Priority – Individuals who are not veterans and any other person outside of the groups given priority.

WIOA divides required employment and training activities into two categories: career services and training services.

Required career services include:

1. Determinations of whether the individuals are eligible to receive assistance;
2. Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the one-stop/America's Job Center of California (AJCC) delivery system;

3. Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skill gaps) and supportive service needs;
4. Labor exchange services including:
 - a. Job placement assistance and, in appropriate cases, career counseling, including:
 - i. Provision of information on in-demand sectors and occupations; and
 - ii. Provision of information on nontraditional employment and
 - b. Appropriate recruitment and other business services on behalf of employers, including small employers, in the local area, which services may include providing information and referral to specialized business services not traditionally offered through the AJCC system;
5. Provision of referrals to and coordination of activities with other programs and services, including programs and services within the AJCC system and, in appropriate cases, other workforce development programs;
6. Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including:
 - a. Job vacancy listings in such labor market areas;
 - b. Information on job skills necessary to obtain the jobs described in (a); and
 - c. Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations;
7. Provision of performance information and program cost information on eligible providers of training services as described in [WIOA Sec. 122](#), provided by program, and eligible providers of youth workforce investment activities described in [WIOA Sec. 123](#), providers of adult education described in title II, providers of career and technical education activities at the postsecondary level, and career and technical education activities available to school dropouts, under the [Carl D. Perkins Career and Technical Education Act of 2006](#) (20 U.S.C 2301 et. Seq.), and providers of vocational rehabilitation services described in [title I of the Rehabilitation Act of 1973](#) (29 U.S.C. 720 et seq.);
8. Provision of information, in formats that are usable by and understandable to AJCC customers, regarding how the local area is performing on the local performance accountability measures and any additional performance information with respect to the AJCC system in the local area;
9. Provision of information, in formats that are usable by and understandable to AJCC customers, relating to the availability of supportive services or assistance, including:

- a. Childcare, child support, medical or child health assistance under title XIX or XXI of the [Social Security Act](#) (42 USC. 1396 et seq. and 1397aa et seq.);
 - b. Benefits under the supplemental nutrition assistance program established under the [Food and Nutrition Act of 2008](#) (7 U.S.C. 2011 et. seq.);
 - c. Assistance through the earned income tax credit under section 32 of the [Internal Revenue code of 1986](#);
 - d. Assistance under a State program for temporary assistance for needy families funded under part A of title IV of the [Social Security Act](#) (42 U.S.C 601 et seq.); and
 - e. Other supportive services and transportation provided through funds made available under such part, available in the local area.
10. Referral to the supportive services described above, as appropriate;
 11. Provision of information and assistance regarding filing claims for unemployment compensation;
 12. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under WIOA;
 13. Services, if determined to be appropriate for an individual to obtain or retain employment, that consist of:
 - a. Comprehensive and specialized assessments of the skill levels and service needs, which may include:
 - i. Diagnostic testing and use of other assessment tools; and
 - ii. In-depth interview and evaluation to identify employment barriers and appropriate employment goals;
 - b. Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals;
 - c. Group counseling;
 - d. Individual counseling;

Required training services as defined by WIOA Sec. 134(c)(3)(D) include:

1. Occupational skills training, including training for nontraditional employment;
2. On-the-job training;
3. Incumbent worker training;
4. Programs that combine workplace training with related instruction, which may include cooperative education program;

5. Training programs operated by the private sector;
6. Skill upgrading and retraining;
7. Entrepreneurial training;
8. Transitional jobs;
9. Job readiness training provided in combination with the other services in this list;
10. Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with any of the other services in this list; and
11. Customized training conducted with a commitment by an employer or a group of employers to employ an individual upon successful completion of the training.

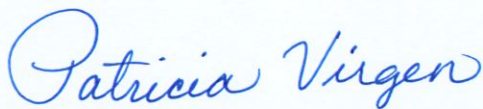
V. QUESTIONS REGARDING THIS DIRECTIVE

May be referred to the Executive Director of EEDD via Managers or designee.

VI. UPDATE RESPONSIBILITY

The Executive Director of EEDD and/or designee will be responsible for updating this directive, as appropriate.

VII. APPROVED



PATRICIA VIRGEN
EXECUTIVE DIRECTOR

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