

EXECUTIVE SUMMARY

This priority of service policy shall apply to veterans and eligible spouses and adult program individuals with respect to the Workforce Innovation and Opportunity Act (WIOA) and all Department of Labor funded activities: individualized career services and training services. For participants served with WIOA adult funds, a majority which can include veterans and eligible spouses must be recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient, and priority of services are to be provided to these priority groups before other adult program participants.

REFERENCES

- Workforce Innovation and Opportunity Act (Public Law 113-128) Section 134(c)(3)(E)
- Title 20 Code of Federal Regulations (CFR) Sections 680.120, and 680.600[b]-[c], 680.650, and 1010.200
- Training and Employment Guidance Letter (TEGL) 19-16, *Guidance on Services Provided Through the Adult and Dislocated Worker Programs Under the WIOA and the Wagner-Peyser Act Employment Services (ES), as Amended by Title III, Under the WIOA Final Rule* (March 1, 2017)
- Training and Employment Guidance Letter (TEGL) 10-9, *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)
- Workforce Services Directive (WSD) 24-6, *Adult Program Priority of Service*, (November 8, 2024)
- Workforce Services Directive (WSD) 24-15, *Priority of Service for Veterans and Eligible Spouses*, (February 14, 2025)

POLICY AND PROCEDURES

Priority of service status is established at the point of entry which can include in-person, online, or by telephone conversation, verified at the time of eligibility determination, and does not change during the period of participation. The United States Armed Forces includes the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard, and this policy covers veterans who have served at least one day in the armed forces (which also include the National Guard or Reserve personnel mobilized for federal service but excludes National Guard personnel mobilized for training or other State purposes) and eligible spouses. The term eligible spouse is defined at the end of this policy and in the Technical Assistance Guide. Veterans and eligible spouses shall receive priority of service before all eligible individuals for Department of Labor (DOL) funded programs (e.g., adult, dislocated worker, and youth); however, they must meet the WIOA eligibility criteria for a specific program. For example, veterans and eligible spouses priority for service becomes effective at the point of entry, and then, WIOA adult program eligibility determination is evaluated for enrollment with supporting documentation. The Levels of Priority of Service table provided indicates the order of priority

when providing individualized career services and training services as basic career services are not subject to the priority of service requirement. In situations with limited available services or resources, the order of priority grants veterans and eligible spouses access to the services or resources instead of, or before all other eligible individuals but does not stop existing services for these other eligible individuals.

For individuals participating in the WIOA adult program, a majority must belong to the adult program priority groups (i.e., recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient), and veterans and eligible spouses can also be part of the adult program priority groups. The definitions of public assistance, low-income individuals, and basic skills deficient are available in the Definitions section of the work2future Technical Assistance Guide.

Priority of service must be provided in the following order for all DOL funded programs:

Levels of Priority of Service	
Priority 1	Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
Priority 2	Individuals who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.
Priority 3	Veterans and eligible spouses who are not recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
Priority 4	Any individual who does not belong to one of the above groups but belongs to a priority population established by the Governor or by work2future, i.e., an individual with a Barrier to Employment.
Priority 5	All other individuals who do not meet the above priorities.

Eligible spouse (including the same-sex spouse) has a veteran spouse who has experienced any of the following categories:

1. Any veteran who died of a service-connected disability.
2. 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 90 days:
 - Missing in action.
 - Captured in the line of duty by a hostile force.
 - Forcibly detained or interned in the line of duty by a foreign power.
3. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the U.S. Department of Veterans Affairs.
4. Any veteran who died while a disability was in existence.

Note that a spouse whose eligibility is derived from a living veteran or service member (i.e., categories 2. or 3. above) would lose his or her eligibility if the veteran or service member were 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), or upon divorce from the veteran or service member. However, a spouse who qualifies under categories 1. or 4. would not lose covered status through subsequent remarriage.

Exceptions

Any exceptions to this policy must be approved by the work2future-Director, Program Manager, or the authorized representative of the WIOA Service Provider and documented in the participant file.

INQUIRIES

Please contact the work2future Administrator on duty, work2future.MIS@sanjoseca.gov, for any questions regarding this policy.