



## Adult Priority of Service Policy - March 2016

**I. Purpose.** The North Central Workforce Development Board (WBD) is committed to a priority service system where those individuals most in need, with additional barriers to employment, will be served first. The PA CareerLink® centers utilize a comprehensive mix of activities in order to provide employment and training opportunities to those individuals who can benefit from, and who are in need of such opportunities.

### **II. References.**

- Workforce Innovation and Opportunity Act of 2014 (WIOA or Opportunity Act), Public Law (Pub. L.) 113-128, enacted July 22, 2014
- Training and Employment Guidance Letter (TEGL) No. 19-16, *Guidance on Services Provided through the Adult and Dislocated Worker Program under the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) and Wagner Peyser Act Employment Services (ED), as Amended by Title III of WIOA, and for implementation Guidance for the Transition to WIOA Services.*
- Training and Employment Guidance Letter (TEGL) No. 26-13, *Impact of the U.S. Supreme Court's Decision in United States vs Windsor on Eligibility and Services Provided Under Workforce Grants Administered by the Employment and Training Administration*
- Training and Employment Guidance Letter (TEGL) No. 06-14, *Program Year (PY) 2013/Fiscal Year (FY) 2014 Data Validation and Performance Reporting Requirements and Associated Timelines*
- PA Department of Labor & Industry Workforce System Policy (WSP) No. 05-2015, *Priority of Service – Initial Implementation of the Workforce Innovation and Opportunity Act (WIOA)*

**III. Transition.** Common Workforce Development System (CWDS) data entry-related communications necessitated by the issuance of this policy are forthcoming from the PA Department of Labor & Industry.

**IV. Background:** The Workforce Innovation and Opportunity Act (WIOA or Opportunity Act) requires priority be given to public assistance recipients, other low-income individuals and individuals who are basic skills deficient, when providing individualized career services and training services using WIOA title I Adult program funds. WIOA provides a focus on serving individuals with barriers to employment, and the intent of this priority in the law is to ensure access to these populations on a priority basis. Under the WIA priority was required for public assistance recipients and other low-income individuals when funds were limited. Under the WIOA, priority of service is required regardless of the funding levels and also is expanded to include individuals who are basic skills deficient.

## Definitions.

A. **“Individuals with barriers to employment”** includes: displaced homemakers; low-income individuals; Indians, Alaska Natives, and Native Hawaiians; individuals with disabilities; older individuals; ex-offenders; homeless individuals; youth who are in or have aged out of the foster care system; individuals who are English language learners, have low literacy levels, or face substantial cultural barriers; eligible Migrant and Seasonal Farm Workers; individuals within two (2) years of exhausting lifetime eligibility under TANF; single parents (including pregnant women); long-term unemployed individuals; and members of other groups identified by the Governor.

B. The Adult priority of service applies to individualized career services and training services. **“Individualized career services”** include comprehensive and specialized assessments, development of an individual employment plan, group and individual counseling, career planning, short-term prevocational services, internships and work experiences, workforce preparation activities, financial literacy services, out-of-area job search and relocation assistance, and English language acquisition and integrated education and training programs.

C. There are five (5) groups of individuals targeted for priority when providing individualized career services and training services in the WIOA title I Adult program: public assistance recipients; other low-income individuals; individuals who are basic skills deficient; and individuals who are both underemployed and low-income and individuals with disabilities.

1. **“Recipients of public assistance”** includes 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 has received, assistance through one (1) or more of the following:

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

2. **“Low-income”** includes:

- Recipients of public assistance (defined above);
- Individuals in a family with total income below the poverty line or 70% of the lower living standard income level;
- Homeless;
- Foster youth; and
- Individuals with disabilities with individual income below the poverty line or 70% of the lower living standard income level.

**NOTE:** Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivor’s insurance benefits from the income calculations for determining if an individual is low-income. These exclusions that were previously provided under WIA sec. 101(25) no longer apply. (TEGL 19-16)

A youth 18 or older, who was determined low-income for the WIOA title I Youth Program, may be co-enrolled in the WIOA title I Adult Program without an eligibility redetermination, and 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.

3. **“Basic skills deficient”** is defined as an adult who is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the participant’s family, or in society.

In assessing basic skills, local workforce staff may only use assessment instruments that are valid and appropriate for this target population, and must provide reasonable accommodation in the assessment process, if necessary, for individuals with disabilities. Standardized assessments must be administered following published guidelines and locators/appraisals must be used to determine the appropriate level of use of such assessments.

An adult may be assessed as basic skills deficient through case manager observations and documented in case notes. For example, the career planner may observe that the adult is not able to read or fill out an application form, or does not have basic computer literacy. A case manager may also document basic skills deficient using any one (1) of the following:

- Basic skills assessment questions or test results
- School records
- Referral or records from a title II Adult Basic Education program
- Referral or records from an English Language Learner program

Case notes must provide an auditable trail back to the source of the verified information. The career planner does not need to keep a hard copy of the information verified in the participant’s case file. For example, a career planner verifies an individual is basic skills deficient by viewing school records, specifically, enrollment in a WIOA title II Adult Education/Literacy program. The case notes must include auditable information, such as the name of the school and the date of enrollment, which could allow an auditor/monitor to later retrieve this information.

If a standardized test is used to assess basic skills, the test should include reading, writing, or computing skills. Lacking soft skills or specific skills needed for a particular job may not be used to determine otherwise high-functioning individuals as basic skills deficient.

A youth 18 or older, who was determined basic skills deficient for the WIOA title I Youth Program, may be co-enrolled in the WIOA title I Adult Program without an eligibility redetermination, and 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.

Local policy may further define the criteria that will be used to identify and document basic skills deficient individuals.

4. **“Underemployed”** individuals are employed full-time or part-time and must also meet the definition of a low-income individual in order to be eligible for the Adult priority of service.

5. **“Individual with a disability”** means an individual with a disability as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102),

**VII. What It Means to Provide Priority of Service.** Priority of service means that individuals in the targeted groups (public assistance recipients, other low-income individuals, individuals who are basic skills deficient, and underemployed who are also low-income) are given priority over other individuals for receipt of individualized career services and training services funded by the WIOA title I Adult program. Veterans within these groups receive priority over non-veterans. Adult priority is determined for the targeted groups during eligibility and enrollment.

**VIII. Interaction of the Adult Priority and Veterans’ Priority of Service.** The priority of service for veterans and eligible spouses applies 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 receipt of individualized career services and training services in the WIOA title I Adult program. Local boards may establish a local discretionary priority that also gives priority to other individuals specifically for the receipt of individualized career services and training services in the WIOA title I Adult program. With regard to the priority of service for veterans and eligible spouses, priority of service for the WIOA title I Adult program must be applied in the following order:

1. Veterans and eligible spouses who meet the statutory priority (public assistance recipient, other low-income individuals including the underemployed, or basic skills deficient) and Adult program eligibility must receive the highest level of priority for services;
2. Other individuals (not veterans or eligible spouses) who meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) and Adult program eligibility then receive the second level of priority for services;
3. All other veterans and eligible spouses who meet Adult program eligibility, then receive the third level of priority for services;
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient), but do meet a local discretionary priority and Adult program eligibility, then receive the fourth level of priority for services;
5. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (public assistance recipient, other low-income individuals including underemployed, or basic skills deficient) and do not meet the local discretionary priority, but do meet Adult program eligibility, then receive the fifth level of priority for services.

**IX. Performance Goals.**

The North Central Workforce Development Board’s success in achieving priority of service for the targeted groups within the Adult program will be measured by a state-established formula comparing the percentage of individuals in the five (5) statutory priority targeted groups (public assistance recipients, other low-income individuals, basic skills deficient, both underemployed and low-income and individuals with a disability), who were enrolled in the Adult program versus the percentage of all other individuals who were enrolled in the program.

Therefore, the North Central Workforce Development Board will utilize the CWDS system as well as a file review to monitor adherence to this policy on a quarterly basis.

Our goal is to serve a greater percentage of Adult customers from the priority targeted groups than all other individuals (at least 51% of Adult participants from priority groups). If it is determined that a Title I program operator is not meeting this goal the program operator will be expected to conduct active outreach to recruit the priority groups.

In Program Year (PY) 2015 and PY 2016, the percentage of new Adult customers from the targeted priority groups will be used to establish a baseline for each local area.

The North Central WDA will meet the 51% requirement as identified by the Department of Labor & Industry in PY 2017 for all Adult customers followed by 70% by 2018.

XI. **Contact Entity.** Technical assistance and/or inquiries regarding this guidance should be directed to the North Central Workforce Development Board Director Susan R. Snelick at the North Central Workforce Development Board, 425 Old Kersey Road, Kersey, PA 15845 or [ssnelick@ncwdb.org](mailto:ssnelick@ncwdb.org)

XII **Recissions.** Replaces the North Central Workforce Investment Board Priority Policy for Dislocated Workers and Adults.

**Expiration**

Ongoing

**Inquiries**

Questions shall be directed to: Pam Streich at [pstreich@ncwdb.org](mailto:pstreich@ncwdb.org) or Susan R. Snelick at [ssnelick@ncwdb.org](mailto:ssnelick@ncwdb.org) or (814)245-1835

**Auxiliary aids and services are available upon request to individuals with disabilities.**

**Equal Opportunity Employer/Program**