

# The Workforce Innovation and Opportunity Act

## WIOA Desk Reference

### Priority of Service for WIOA Adult Funds

WIOA 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 (AJC) 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. Under WIOA, priority must be implemented regardless of the amount of funds available to provide services in the local area. States are required to develop policies and procedures for applying this priority, including monitoring local areas' compliance with this priority.

## Priority Populations under WIOA

### RECIPIENTS OF PUBLIC ASSISTANCE

For the purposes of WIOA, a public assistance recipient includes an individual (or an individual who is part of a family) currently receiving, or who in the past 6 months has received assistance through (any of the following programs):

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

### OTHER LOW-INCOME INDIVIDUALS

WIOA sec. 3(36) defines a low-income individual as someone who receives public assistance as described above or:

- ◆ 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;
- ◆ is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994), or a homeless child or youth (as defined under section 725(2) of the McKinney-Vento Homeless Assistance Act);
- ◆ receives or is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act;
- ◆ is a foster child on behalf of whom State or local government payments are made; or
- ◆ is an individual with a disability whose own income meets the income requirement, but who is a member of a family whose income does not meet this requirement.

### Learn More About WIOA

Information and guidance for WIOA can be found here: [doleta.gov/WIOA](http://doleta.gov/WIOA)

ION, the technical assistance initiative for WIOA, can be accessed by visiting **WorkforceGPS** here: [ion.workforcegps.org](http://ion.workforcegps.org)



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## INDIVIDUALS WHO ARE BASIC SKILLS DEFICIENT

WIOA sec. 3(5) defines basic skills deficient as referring to an individual:

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

*\* Note: Individuals who are English language learners meet the criteria for "basic skills deficient" and must be included in the priority populations for the Title I Adult program. See TEGL 19-16 for the definition.*

## Priority of Service for Veterans

Veterans and eligible spouses continue to receive priority of service for all DOL-funded job training programs, including WIOA programs. Priority of service is discussed in [Training and Employment Guidance Letter \(TEGL\) 10-09](#). Further, representatives funded through Jobs for Veterans State Grants (JVSG), a required partner program under WIOA, are located in many AJCs. States and local areas must apply priority of service in the order below:

- ◆ First, to veterans and eligible spouses (who also are included in the groups given statutory priority for WIOA adult formula funds). This means that veterans and eligible spouses who also are recipients of public assistance, other low-income individuals\*, or individuals who are basic skills deficient would receive first priority for services provided with WIOA adult formula funds.
- ◆ Second, to non-covered persons (individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
- ◆ Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
- ◆ Fourth, to any other populations identified by the Governor or Local Workforce Development Board for priority.
- ◆ Last, to non-covered persons outside the groups given priority under WIOA.

*\* Note: When past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits, must be disregarded for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority.*

## Additional Resources

- ◆ Priority of Service for WIOA Adult Funds
  - ◇ WIOA Section 134(c)(3)(E)
  - ◇ [TEGL 19-16](#). *Guidance on Services provided through the Adult and Dislocated Worker Programs under WIOA and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules*
- ◆ Priority of Service for Veterans and Adult Funds
  - ◇ [TEGL 10-09](#) and [VPL 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*

