**Workforce Investment Act Title I-B
Washington State Policies**

 **SECTION C: General Administration**

*Grantees, subrecipients and contractors funded under the Workforce Investment Act (WIA), whether in whole or in part, must abide by the Workforce Investment Act of 1998, the WIA Regulations, all applicable Office of Management and Budget (OMB) Circulars, state requirements in laws and rules (Revised Code of Washington and Washington Administrative Code), State of Washington (OFM) policies and the Washington State WIA Policies.*

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| **EFFECTIVE DATE:WIA POLICY NUMBER:SUBJECT:** | September 4, 20033641Jobs for Veterans Act Priority of Services |

 [**BACKGROUND**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#BACKGROUND) **|** [**POLICY**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#POLICY) **|** [**DEFINITIONS**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#DEFINITIONS:)[**REFERENCES**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#REFERENCES:) **|** [**WEBSITE**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#WEBSITE:) **|** [**INQUIRIES**](http://www.wa.gov/esd/1stop/policies/documents/archive/3641.htm#INQUIRIES)

**BACKGROUND**

**The Jobs for Veterans Act, enacted into Public Law 107–288 on November 7, 2002 made a number of amendments to encourage Veterans access to services within an integrated one-stop service delivery system. A new section of the law established a priority of service requirement applicable to all Department of Labor programs offering employment and training related services. (P.L. 107–288 Section 4215 (b)). Changes were also made to veterans programs established under the Wagner Peyser Act.**

**New reporting requirements to account for representation of veterans in programs in proportion to incidence of their representation in the labor market were also enacted. The Secretary of Labor was directed to evaluate whether veterans and other covered persons are receiving priority of services and are being fully served. (P.L. 107–288 Section 4215 (c)).**

**This documentprovides policy for Workforce Development Councils regarding these new requirements. A Draft Training and Employment Guidance letter has been distributed for implementing the Jobs for Veterans Act and provided guidance for the policy section of this document. The Department of Labor and Department of Veterans Affairs continue to have discussions on implementation issues related to passage of the law.**

**POLICY**

**A "covered person" is entitled to priority of service under all WIA Title I funded programs e.g. adult, youth, dislocated workers, 10% funded projects, and National Emergency Grant (NEG). For purposes of this policy, the term ‘veterans priority of service’ means that a covered person shall be given priority over non-veterans for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provision of law.**

**Veterans and other covered persons must first meet the WIA program’s eligibility requirements. A covered person who is determined eligible for WIA services shall receive priority over non-veterans, except for the priority of service established by law for the WIA adult program. Within WIA Title I-B, the adult program is the only program to have a priority provision established by law, and therefore is considered a mandatory priority. Veterans are to be served within the context of giving priority to public assistance and low-income persons for intensive and training services. Refer to Policy No. 3640, Revision 1: "Eligibility and Priority for Services for the WIA Title I-B Adult Employment and Training" for more specific guidance and requirements for veterans priority of service under the WIA Adult program.**

**Other targeting provisions for any WIA Title I funded programs, whether established by the Governor or by regulation (but not by law) are considered discretionary or optional priorities. In these cases, veterans would receive priority in advance of the opportunities and services provided to the "targeted" population group.**

**The veterans’ priority is not intended to displace the core function of the WIA program. The exact manner in which the veterans priority will be applied may vary depending upon the construct of the program and the services offered. In a sequential service delivery model, when services are limited due to available funding, priority of services should be applied. For example, if there was only sufficient money to provide services to one individual and a veteran is in the pool, the veteran must receive priority.**

**Local Policy Requirement**

**WDCs must develop a local policy that addresses how priority of services to veterans and other covered persons will be applied. This policy must apply to all WIA Title I-B funded programs, including dislocated worker, youth, 10% statewide activity programs, and National Emergency Grants.**

**Data Collection**

**Local areas must instruct service providers and staff to collect the required data elements for covered persons when enrolling persons into the WIA Title I program. This data will be collected for the annual report to be submitted annually to the Department of Labor.**

**Provision of Information**

**Local areas must provide information to covered persons on services available under Department of Labor job training programs. Areas should ensure that individuals are informed of their right to priority for employment and training services. This information could be provided in any number of ways, either verbally or in writing, during orientation, assessment, or enrollment.****DEFINITIONS:**

**A "covered person" is one of the following:**

**A veteran who is an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable (WIA definition);**

**A recently separated veteran is any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service (WIA definition); or**

**The spouse of:**

* **A veteran who died of a service connected disability;**
* **a member on active duty who ( at time of spouse’s application) is listed as missing in action, captured in the line of duty, or forcibly detained; or**
* **A veteran with a total disability from a service connected disability or one who died while being evaluated for it.**

**The term veteran is defined in WIA Title I Section 101(49)
The term covered spouse is defined in P.L.107–288 Section 4215 (a)
The term priority of service is defined in P.L.107–288 Section 4215 (3)****REFERENCES:**

**Public Law 107-288
USDOL Draft General Policy Guidance: Veterans’ Priority under the Jobs for Veterans Act of 2002
USDOL Jobs for Veterans Act Veterans’ Priority Draft Implementation Plan Highlights****WEBSITE:**

[**http://www.wa.gov/esd/policies**](http://www.wa.gov/esd/policies)**DIRECT** **INQUIRIES TO:**

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