

**I. Purpose:**

To provide guidance to One-Stop Operators, and American Job Center (AJC) service providers for the implementation of priority of service for Workforce Innovation Opportunity Act (WIOA) Title I Adult program participants.

**II. Background:**

Across all titles, WIOA focuses on serving "individuals with barriers to employment" as defined in **WIOA Section 3(24)** - and seeks to ensure access to quality services for these populations. **TEGL 19-16** specifies that priority should also be applied to individuals that are both underemployed and low-income.

**III. Instructions:**

Section **134(c)(3)(E) of 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 staff when using WIOA Adult funds to provide individualized career services, or training services, or both, must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

Services must be based on jobseeker needs and an analysis of funds from all available sources. Adult priority is determined, for the targeted groups, during eligibility and enrollment. In order to prioritize services, regardless of the availability of funds, priority must be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of Individualized Career and Training services. However, veterans within these groups receive priority over non-veterans. See ***Veterans and Eligible Spouse Priority of Service Policy*** found at <http://www.secareercenter.org/www/download/129.146>.

**Note:** Training services are used to connect participants to in-demand occupations and need to be filled by employers. It is not required for non-priority service participants to give up their place to individuals who are categorized as priority eligible. Priority of service applies up to the point at which a non-priority individual is both approved for funding and accepted or enrolled in a training class. ***Priority of service is not intended to allow a priority adult to "bump" a non-priority individual.***

**Definitions:**

**1. Low-Income Individual (LII):**

A low-income individual is defined as a person who meets any of the following criteria and will satisfy the low-income requirement for WIOA Title I Adult services:

**A. Recipient of Public Assistance** includes individuals who receive, or in the six (6) months prior to application to the program have received, or are a member of a family that is receiving or in the six (6) months prior to application to the program has received, assistance through one or more of the following:

a) Supplemental Nutrition Assistance Program (SNAP);

- b) Temporary Assistance for Needy Families (TANF) program;
- c) Supplemental Security Income (SSI) program; or
- d) State or local income-based public assistance.

**B. Low-income** [as defined by WIOA Sec. 3(36)]includes:

- a) Recipients of public assistance (defined above),
- b) Individuals in a family with total income that does not exceed the higher of—
  - i. the poverty line; or
  - ii. below seventy percent (70%) of the lower living standard income level,
- c) A Homeless individual (as defined in WIOA sec 3 (36)(A)(iii),
- d) Foster youth, or
- e) Individuals with disabilities with an income below seventy percent (70%) of the lower living standard income level. Under WIOA, as explained in **20 CFR 680.640**, an individual with a disability whose family does not meet income eligibility criteria, will qualify for priority as a low-income adult as defined in **WIOA Section 3(36)**.

**Criteria and Procedures Used to Determine Low-Income Eligibility:**

Staff will utilize the Low-Income Eligibility Worksheet to determine low income eligibility. More information concerning individuals who qualify as low-income, and the criteria of that determination, is covered in the **Workforce Services Guidance – Income Guidelines for Persons Defined as Low-income Individuals**. This document can be found at:

<https://www.tn.gov/content/dam/tn/workforce/documents/ProgramManagement/WorkforceServicesGuidance-PersonsDefinedasLow-IncomeIndividuals.pdf>

**Note:** A youth eighteen (18) or older, who was determined to be a low-income individual eligible for the WIOA Title I Youth program, may be co-enrolled in the WIOA Title I Adult program without an additional determination of eligibility. They may 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.

2. **Basic Skills Deficient:** **WIOA Section 3(5)(8)** defines basic skills deficient as "an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society."

**Criteria and Procedures Used to Assess Priority for Basic Skills Deficient Individuals:**

It is expected that any such basic skills deficiencies will be determined by an objective, valid, and reliable assessment such as the Test of Adult Basic Education (TABE) or Comprehensive Adult Student Assessment Systems (CASAS). If the priority of service will also be based on basic skills deficient criteria, then the participant's file must contain academic tests (including the participant's name, date of test, and results). As stated in TEGL 19-16, 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.

3. **Single Parent** – A single, separated, divorced or a widowed individual who has primary responsibility for one or more dependent children under age 18 (including single pregnant women).
4. **Migrant and Seasonal Farmworker (MSFW)** – a low-income individual who for the 12 consecutive months out of the 24 months prior to application for the program has been primarily employed in agriculture or fish farming labor that is characterized by chronic unemployment or underemployment; and faces multiple barriers to economic self-sufficiency.
5. **Cultural Barriers** - attitudes, beliefs, customs or practices that include a way of thinking acting or working that may serve as a barrier to employment
6. **Underemployed Individuals:** The state guidance defines underemployed as individuals who are employed full-time or part-time that also meet the definition of a low-income individual to be eligible for the adult priority.

**Adult Priority, Veterans' Priority of Service, and How to Apply Priority:**

Title I Adult eligibility requires that individuals be 18 years of age or older, citizens or nationals of the United States, or other lawfully admitted persons, and in compliance with the Selective Service System Registration Requirements.

The priority of service for veterans and eligible spouses always 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 recipient of individualized career and training services in the WIOA Title I Adult program.

Priority of service for veterans and eligible spouses, for the Title I Adult program, must be applied in the following order:

- **1<sup>st</sup> Priority** – Covered persons (Veterans and eligible spouses) who are:
  - Low-income [as defined by WIOA Sec. 3(36)], or
  - Recipients of public assistance, or
  - Who are basic skills deficient?
  - Low-income individuals who are underemployed
- **2<sup>nd</sup> Priority** – Individuals (non-covered persons) who are:
  - Low income [as defined by WIOA Sec. 3(36)], or
  - Recipients of public assistance, or
  - Who are basic skills deficient
  - Low-income individuals who are underemployed
- **3<sup>rd</sup> Priority** - Covered persons (Veterans and eligible spouses) who are:
  - Not low income, and
  - Not recipients of public assistance, and
  - Not basic skills deficient
- **4<sup>th</sup> Priority** – Individuals (non-covered persons) who do not meet the above priorities but who are:

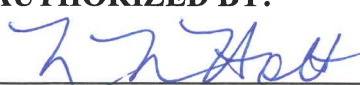
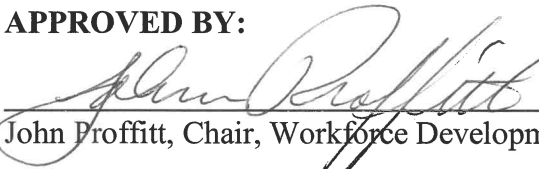
- Unemployed but do not meet the definition of low income;
- AND** is an individual with the following barriers to employment:
  - Indians, Alaska Native and Native Hawaiians
  - Individuals with disabilities whose own income exceeds low-income guidelines
  - Older individuals – (age 55 or older)
  - Ex-offenders
  - Homeless individuals
  - Individuals who have aged out of the foster care system
  - Individuals who face substantial cultural barriers
  - Single parent (including single pregnant women)
  - Long-term unemployed individuals (unemployed 27 weeks or more)

**OR;**

- Employed less than full-time who are seeking full-time employment;
  - Employed in a position that is inadequate with respect to their skills and training;
  - Employed but whose current job’s earnings are not sufficient compared to their earnings from their previous employment.
  - An adult living in a **Distressed or At-Risk County, as defined by the annual Appalachian Regional Commission (ARC) Index of County Economic Status**, that lacks the skills, experience, and/or credential for which training will be provided, including occupational skills training and work-based training such as Apprenticeships or On-the-Job Training:  
[https://www.arc.gov/images/appregion/economic\\_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf](https://www.arc.gov/images/appregion/economic_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf)
  - An adult participating in Apprenticeship Programs, including employer developed apprenticeship programs or Pre-Apprenticeship programs, that need assistance with the cost of training and instruction and/or supportive services that enable them to participate.
- **5<sup>th</sup> Priority:** – Non-covered persons outside the groups given priority under WIOA or the local board.

**NOTE:** Enrollment as a 4<sup>th</sup> or 5<sup>th</sup> priority participant must be documented on the following:

**Attachment A: 4<sup>th</sup> or 5<sup>th</sup> Priority Enrollment Form**

<b>AUTHORIZED BY:</b>	
	3/11/2020
Michele Holt, Director, Workforce Development	Date
 <b>APPROVED BY:</b>	
	3/11/2020
John Proffitt, Chair, Workforce Development Board	Date
<i>Adult Priority of Service; Effective 6.7.16; Revised 3.11.20</i>	

**Southeast Tennessee Local Workforce Development Area  
Adult Priority of Service 4<sup>th</sup> and 5<sup>th</sup> Priority Enrollment Form**

Customer Name: \_\_\_\_\_

VOS ID: \_\_\_\_\_

Career Specialist: \_\_\_\_\_

Date: \_\_\_\_\_

It is the intent of the Workforce Innovation and Opportunity Act and STLWDA to give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. Veterans have priority over non-veterans in these groups. After applying priority of service, applicant meets the following Adult Priority:

**Priority populations established by the local board:**

**4<sup>th</sup> Priority:** The WIOA eligible adult must meet the following categories (check all that apply):

- Unemployed but do not meet the definition of low-income  
**AND** must also have one of the following barriers to employment (attach supporting documentation)
  - Indians, Alaska Native and Native Hawaiians
  - Individuals with disabilities whose own income exceeds low-income guidelines
  - Older individuals (age 55 or older)
  - Ex-offenders
  - Homeless individuals
  - Individuals who have aged out of the foster care system
  - Individuals face substantial cultural barriers
  - Single parents (including pregnant women)
  - Long-term unemployed individuals (unemployed 27 weeks or more)

**OR;**

- Employed less than full-time who are seeking full-time employment;
- Employed in a position that is inadequate with respect to their skills and training;
- Employed but whose current job's earnings are not sufficient compared to their earnings from their previous employment.
- Adult living in a **Distressed or At-Risk County, as defined by the annual Appalachian Regional Commission (ARC) Index of County Economic Status**, that lacks the skills, experience, and/or credential for which training will be provided, including occupational skills training and work-based training such as Apprenticeships or On-the-Job Training  
[https://www.arc.gov/images/appregion/economic\\_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf](https://www.arc.gov/images/appregion/economic_statusFY2020/CountyEconomicStatusandDistressAreasFY2020Tennessee.pdf)
- An adult participating in Apprenticeship Programs, including employer developed apprenticeship programs or Pre-Apprenticeship programs, that need assistance with the cost of training and instruction and/or supportive services that enable them to participate.

**5<sup>th</sup> Priority: Non-covered persons outside the groups given priority under WIOA or the local board**

- Applicant meets Adult Eligibility but does not fall into priority 1-4

\_\_\_\_\_  
Career Specialist Signature

\_\_\_\_\_  
Date