



ADULT PROGRAM PRIORITY OF SERVICE POLICY

EDD Revision Date: 6/30/15; 1/22/16, 11/8/2024

WDB Review Date: 7/17/03; 3/22/07; 4/26/07; 6/21/07; 5/22/08; 7/7/08; 3/21/13; 12/17/15; 5/4/16; 4/19/18; 4/17/25

EXECUTIVE SUMMARY:

Purpose:

This document establishes the Workforce Development Board of Madera County's policy and establishes the procedures regarding priority of service for recipients of public assistance, other low income individuals, and individuals who are basic skills deficient served with Workforce Innovation and Opportunity Act (WIOA) Title I Adult program funds.

Effective Date:

This policy is effective- on the date of approval by the Workforce Development Board.

References:

- WIOA (Public Law 113-128) Sections 3 and 134
- Title 20 *Code of Federal Regulations* (CFR) WIOA Final Rule, Sections 680.150, 680.600, 680.650
- Training and Employment Guidance Letter (TEGL) [07-20](#), *Effective Implementation of Priority of Service Provisions for Most in Need Individuals in the Workforce Innovation and Opportunity Act (WIOA) Adult Program* (November 24, 2020)
- 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)
- [Workforce Services Directive](#) WSD22-15, *WIOA Data Validation Source Documentation*
- WSD19-09, *Strategic Co-Enrollment – Unified Plan Partners* (February 12, 2020)
- WSD19-04, *Priority of Service for Veterans and Eligible Spouses*, (September 11, 2019)

State-Imposed Requirements:

This policy contains some state-imposed requirements. These requirements are in ***bold, italic type***.

Background:

The WIOA requires priority of service for adult employment and training activities for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient, which includes English Language Learners, for individualized and training services. Veterans and eligible spouses continue to receive priority of service for all Department of Labor (DOL) funded programs amongst all participants.

Policy and Procedures:

Definitions

For purposes of this policy, the following definitions apply:

Basic Skills Deficient – An individual 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 (WIOA Section 3 [5]). ***Criteria used to determine whether an individual is basic skills deficient include the following:***

- ***Lacks a high school diploma or high school equivalency and is not enrolled in secondary education.***
- ***Enrolled in a Title II Adult Education/Literacy program.***
- ***English, reading, writing, or computing skills at an 8.9 or below grade level.***
- ***Determined to be Limited English Skills proficient through staff-documented observations.***
- ***Other objective criteria determined to be appropriate by the Local Area, as documented in local policy.***

Case Notes – Case notes refer to either paper or electronic statements by the case manager that identify, at a minimum, the following:

- A participant's status for a specific data element.
- The date on which the information was obtained.
- The case manager who obtained the information.

Low-Income – An individual that meets one of the four criteria below:

1. Receives, or in the past six months has received, or is a member of a family that is receiving or in the past six months has received, assistance through the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) program, Supplemental Security Income (SSI) program, or state or local income-based public assistance.

2. In a family with total family income that does not exceed the higher of the following:
 - a. The poverty line; or
 - b. 70 percent of the Lower Living Standard Income Level.
3. A homeless individual.
4. 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 the requirement.
(Reference WIOA Section 3[36])

Public Assistance Recipient – An individual that receives federal, state, or local government cash payments for which eligibility is determined by a needs or income test (WIOA Section 3[50]).

Self-Attestation – Self-attestation (also referred to as a participant or applicant statement) occurs when a participant states their status for a particular data element, and then signs and dates a form acknowledging this status. The key elements for self-attestation are as follows:

- The participant identifying their status for permitted elements.
- The participant signing and dating a form attesting to this self-identification. The form and signature can be on paper or in CalJOBS with a remote signature. For more information on the CalJOBS Remote Electronic Signature feature, refer to the CalJOBS Remote Electronic Signature User Guide located in the Staff Online Resources section of CalJOBS.

While self-attestation should not be the primary method of gathering documentation to verify data elements, it may be used when an item is unverifiable, or it is unreasonably difficult to obtain. The applicant's difficulty in obtaining documentation does not need to entail hardship or suffering to justify using self-attestation.

Career and Training Services

Under WIOA, the WIA core and intensive services are merged into a new category entitled "career services." The career services category includes basic career services, found at WIOA Section 134(c)(2)(A)(i)-(xi), and individualized career services, found at WIOA Section 134(c)(2)(A)(xii). Basic career services are not subject to the priority of service requirement. However, individualized career services and training services are subject to the requirement (Title 20 CFR NPRM Section 680.150).

Priority of Service Requirement

As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA adult funds, priority of service must be given to recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient (including English Language Learners)

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority does not apply to the dislocated worker population.

Veterans and eligible spouses continue to receive priority of service among all eligible individuals; however, they must meet the WIOA adult program eligibility criteria and meet the criteria under

WIOA Section 134 (c)(3)(E). As described in TEGL 10-09, when programs are statutorily required to provide priority, such as the WIOA adult program, then priority must be provided in the following order:

1. Veterans and eligible spouses who are also recipients of public assistance, other low- income individuals, or individuals who are basic skills deficient.
2. Individuals who are the recipient of public assistance, other low-income individuals, or individuals who are basic skills deficient.
3. Veterans and eligible spouses who are not included in WIOA's priority groups.
4. Priority populations established by the Governor and/or Local Workforce Development Board (Local Board).
5. Other individuals not included in WIOA's priority groups. [Reference – [TEGL 19-16](#)]

For additional guidance on providing priority of service to veterans through the AJCC system, refer to [WSD19-04](#).

Local Workforce Development Boards (local boards) may establish additional priority groups for their Local Area (e.g., residents of the local area, individuals with disabilities, ex-offenders, etc.).

Additional priority groups designated by the Workforce Development Board of Madera County include individuals with disabilities and ex-offenders.

It is the policy of the Workforce Development Board of Madera County to provide priority for receipt of individualized career and training services to eligible adults who meet the criteria for priority of service and who are residents of Madera County. Individuals who are not members of a priority group may be provided these services, as long as funds are not limited. Exceptions to the priority requirements may be made for special projects, regional grants, or for exceptional circumstances on a case-by-case basis at the discretion of the Executive Director.

Priority of Service Calculation

The state priority of service rate is calculated based on the number of participants exited from the program who are identified as a priority population and received an individualized career or training service during their period of participation. This number is divided by the total number of participants exited from the program who have received an individualized career or training service.

Local Areas can view and analyze their priority of service rate by accessing the WIOA Adult Priority of Services report in CalJOBS. ***Local Areas should strive to achieve the 75 percent priority of service rate of individuals in an individualized career or training service. The State may choose to review Local Area specific data to determine if technical assistance will be needed.***

Individualized Career and Training Services

Under WIOA, only Individualized Career and Training Services are subject to the priority of

service requirement as outlined in [20 CFR Section 680.600](#). The requirement does not apply to Basic Career Services.

Individualized Career Services

- Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include the following:
 - Diagnostic testing and use of other assessment tools.
 - In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, eligible training providers.
- Group and/or individual counseling and mentoring.
- Career planning (e.g. case management).
- Short-term pre-vocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training. In some instances, pre-apprenticeship programs may be considered as short-term pre-vocational services.
- Internships and work experiences that are linked to careers.
- Workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy skills, and self-management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, training, or employment.
- Financial literacy services.
- Out-of-area job search assistance and relocation assistance.
- English language acquisition and integrated education and training programs.

Training Services

Training services are subject to priority of service, and consist of the following:

- Occupational skills training, including training for nontraditional employment.
- On-the-job training.
- Incumbent worker training.
- Programs that combine workplace training with related instruction, which may include cooperative education programs.
- Training programs operated by the private sector.
- Skill upgrading and retraining.
- Entrepreneurial training.
- Transitional jobs.
- Job readiness training provided in combination with another training service.
- Adult education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination

- with another training service.
- Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

Documentation

The Madera County Local Workforce Development Area may use the following sources of documentation below to verify whether an adult participant qualifies for priority of service under WIOA:

| PRIORITY OF SERVICE | |
|---------------------------------------|--|
| Priority of Service Criteria | Acceptable Documentation (Only the documentation sources listed below may be used.) |
| 1. Public Assistance Recipient | <ul style="list-style-type: none"> • TANF Eligibility Verification • TANF Period of Benefit Receipt Verification • Referral Transmittal from TANF • SSI/SSDI Receipt of Benefits Verification • Referral Transmittal from Social Security Administration • SSI/SSDI Eligibility Verification • SNAP Eligibility Verification • Documentation of Food Stamp Benefit Receipt • Referral Transmittal from SNAP • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Medical Card Showing Cash Grant Status • Public Assistance Eligibility Verification |

Cont'd

| PRIORITY OF SERVICE | |
|-------------------------------------|---|
| Priority of Service Criteria | Acceptable Documentation (Only the documentation sources listed below may be used.) |
| 2. Low Income | <ul style="list-style-type: none"> • Award Letter from Veteran’s Administration • Pay Stubs • Compensation Award Letter • Court Award Letter • Pension Statement • Employer Statement/Contact • Family or Business Financial Records • Housing Authority Verification • Quarterly Estimated Tax for Self-Employed Persons • Social Security Benefits • UI Claim Documents • Copy of Authorization to Receive Cash Public Assistance • Copy of Public Assistance Check • Public Assistance Eligibility Verification • For Youth Participant Only: Case Note Documenting Living in a High Poverty Area • Self-Attestation |
| 3. Basic Skills Deficient | <ul style="list-style-type: none"> • Assessment Test Results • Applicable Records from Education Institution (transcripts, academic assessments, or other school documentation) • Case Notes • Self-Attestation <p><i>The local area provides an academic assessment for all enrolled individuals, and assessment scores will be used to verify instances of self-attestation.</i></p> |

For reporting and statistical purposes, it is recommended by the State EDD that the Madera County Local Workforce Development Area document all barriers of employment to accurately measure populations served within the AJCC system. In addition, Local Areas should review and update policies and procedures, as necessary, including the monitoring of these policies and procedures in AJCCs, to align with the priority of service rate requirement.

For additional guidance on participant source documentation requirements, refer to [WSD22-15](#).

ACTION:

This policy replaces the previous version which was approved by the Board on April 19, 2018. Please retain this policy until further notice.

INQUIRIES:

Questions regarding this policy should be directed to the Executive Director or designee at (559) 662-4500.

The Workforce Development Board of Madera County is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.
