
Chautauqua County Workforce Development Board

Policy Name:	Priority of Service Policy
Effective Date:	10/31/17
Revised	10/25/17
Revised	05/10/23

Determining Customer Priority to Receive WIOA Individualized Career and WIOA Training Services

Requirement to Serve Priority Populations under the WIOA Title I Adult Program

To comply with WIOA and United States Department of Labor Employment and Training Administration (USDOL ETA) requirements, the New York State Department of Labor (NYSDOL) requires at least 50.1 percent of WIOA Title I Adults receiving individualized career or training services in each Local Workforce Development Area (LWDA) to fall into at least one (1) of the following three (3) priority populations:

- i. Recipients of public assistance;
- ii. Other low-income individuals (see definition in Attachment A of TA #23-01 or any TA replacing TA #23-01); and
- iii. Individuals who are basic skills deficient (see definition in Attachment A of TA #23-01 or any TA replacing TA #23-01), which includes English Language Learners.

Priority of Service for the WIOA Adult Program

Under the WIOA Title I Adult Program In addition to the three (3) required populations identified above, veterans and their eligible spouses must also continue to receive priority of service in all NYSDOL-funded training programs, including WIOA programs. NYSDOL also considers the following individuals with barriers to employment (as defined in Attachment A) as priority populations for individualized career and training services, if they do not already fall under one (1) of the WIOA-required populations:

- i. Individuals with disabilities;
- ii. Justice-involved individuals; and
- iii. Single parents.

Although considered Priority Populations by NYSDOL, these additional demographic categories by themselves, do not count toward the Priority of Service performance measure.

Recipients of public assistance, other low-income individuals, individuals who are basic skills deficient, and veterans and their eligible spouses must receive priority of service

in all NYSDOL-funded training programs, including WIOA programs. However, as described in TEGE No. 10-09, when programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority for Adult funds, priority must be provided in the following order:

1. First, to veterans and eligible spouses who are included in the groups given statutory priority for WIOA Adult formula funding. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient receive first priority for individualized and career services with WIOA Adult formula funds;
2. Second, to non-covered persons (individuals who are not veterans or eligible spouses) who are included in the three (3) populations given priority for WIOA Adult formula funds;
3. Third, to veterans and eligible spouses who are not included in WIOA's three (3) priority Adult groups;
4. Fourth, to additional priority populations established by NYSDOL and/or the LWDBs; and
5. Last, to non-covered persons outside the populations given priority under WIOA (including the three (3) additional priority populations identified by NYSDOL and underemployed individuals).

Examples of adults who meet this priority for "basic skills deficient" are those who:

(A) who is a youth, that the individual has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test; or

(B) who is a youth or adult, that the individual 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.

The following criteria are followed when using option (B):

- Have no High School Diploma or High School Equivalency;
- Are enrolled in a Title II Adult Education/Literacy Program
- Are determined by Assessment to Have English Reading, Writing, or Computing Skills at an 8.9 or Below Grade Level;
- Are determined by the WIOA staff and/or through customer self- attestation that s/he is an English Language Learner;
- Are determined by the WIOA staff to be "basic skills deficient" through observation and the initial assessment interview

WIOA staff will include the determination of this priority in the customer's file with appropriate case notes.