



# Workforce Issuance

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100 DCS 08.116

Policy  Information

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**To:** Chief Elected Officials  
MassHire Workforce Board Chairs  
MassHire Workforce Board Directors  
Title I Administrators  
MassHire Career Center Directors  
Title I Fiscal Officers  
MDCS Operations Managers

**cc:** WIOA State Partners

**From:** Alice Sweeney, Director  
MassHire Department of Career Services

**Date:** November 26, 2018

**Subject:** **Priority of Service for Jobseeker Customers**

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**Purpose:** To notify MassHire Workforce Boards, MassHire Career Centers, and other workforce partners of procedural guidance on the implementation of Priority of Service for WIOA Title I Adult program customers.

**Background:** Services provided to eligible individuals under the WIOA Title I Adult Program lead to pathways for economic self-sufficiency. WIOA provides a focus on serving individuals with barriers to employment; the intent of this priority in the law is to ensure access for these populations on a priority basis.

WIOA identifies priority populations (referenced in this policy as “WIOA priority group”) that are most in need of WIOA-funded services.

## **Service Priority for Individualized Career Services and Training Services**

### **WIOA Priority Group**

WIOA sec. 134 (c)(3)(E) states that individualized career services and training services funded with Title I Adult Program funds must be given on a priority basis, regardless of funding levels, to:

- Recipients of public assistance
- Other low income individuals (in accordance with Federal Poverty Guidelines and Lower Living Level Standard Income Levels)
- Individuals who are basic skills deficient

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 receipt of individualized career services and training services in the WIOA Title I Adult program.

### **Veterans Priority of Service**

Veterans under WIOA sec. 3(63)(A) and 38 U.S.C. 101 receive priority of service in all Department of Labor-funded training programs under 38 U.S.C. 4215 and described in 20 CFR 1010. A Veteran must still meet each program's eligibility criteria to receive services under the respective employment and training program.

### **Additional Locally Defined Priority Populations**

In accordance with §680.600, the local MassHire Workforce Board (MWB) may establish a process that also gives priority to populations that are in addition to those included in the WIOA priority group, provided that it is consistent with priority of services for Veterans.

### **Documentation of Priority Status**

Please refer to MassHire Workforce Issuance *Eligibility Requirements for WIOA Title I Adult and Dislocated Workers* for eligibility and source documentation (Attachment F) requirements related to enrollment in individualized career services and training services under the WIOA Title I Adult and Dislocated Worker program.

MassHire Workforce Issuance #100 DCS 18.101.2 - Eligibility Requirements for WIOA Title I Adult and Dislocated Workers Policy –

<https://www.mass.gov/service-details/massworkforce-wioa-wioa-policy-issuances>

### **Priority Ordering**

WIOA sec. 134 (c)(3)(E) establishes an order in which individuals identified in the WIOA priority group receive services.

Priority of service means that individuals in the targeted groups are given priority over other individuals for receipt of individualized career services and training services funded by the Title I Adult program. Veterans within these groups receive priority over non-Veterans.

Priority for individual career and training services must be provided in the following order:

1. Veterans and eligible spouses who are recipients of public assistance, low-income, or basic skills deficient.
2. Individuals who are recipients of public assistance, low-income, or basic skills deficient.
3. Veterans and eligible spouses who are not recipients of public assistance, low-income, or basic skills deficient.
4. Individuals included in the Local Workforce Board defined priority group.
5. Individuals outside the WIOA priority group and the board's locally defined Adult Program priority group.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. With the exception of Veterans and eligible spouses, priority of service status does not apply to the Dislocated Worker or Youth populations.

WIOA removes the provision stating priority of service is only applied when funding is limited. Priority of service must be implemented regardless of the amount of funds available to provide services in the local area.

**Policy:** When using WIOA Title I Adult funds to provide individualized career services, training services, or both, MassHire Career Centers must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient in conjunction with adherence to the Veterans priority of service requirement.

States and local areas must establish criteria by which the one-stop center will apply the priority under WIOA sec., 134(c)(3)E. Such criteria may include the availability of other funds for providing employment and training-related services in the local area, the needs of the specific groups within the local area, and other appropriate factors (20 CFR §680.600 (b)).

The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority {WIOA Sec. 134(c)(3)(E)}

Each Board must establish a policy to ensure priority for the populations described above. The Board's policy may include a process that also gives priority to other individuals, as long as priority for those individuals comes after the first three groups described above. Note: priority of service is not an eligibility criterion for the program, but it is the means to ensure an emphasis on providing services to these populations.

For example, Boards may establish local priority groups for older workers or employed individuals whose income is below the Board's self-sufficiency level, but these local priority groups do not replace the statutory priority given to individuals who are recipients of public assistance, low-income, or basic skills deficient. Please refer to Attachment A for additional examples.

The Board approved policy and procedures must include the following components:

- Acknowledgement of the Priority of Service requirements as delineated in WIOA statute and regulation.
- Clear guidance for MassHire Career Center staff in applying the priorities for customers in the Adult funding stream.
- Identification of local area priority populations - MassHire Workforce Boards are allowed to define additional priority populations in accordance with WIOA sec. 134 (c)(3)(E) and this policy. Local priority populations must be identified in local policy, including data to support the need and how the local priority will be documented and implemented. Please refer to attachment A- *Examples of Local Area Priority Populations* for additional guidance.

- **Operational Parameters**

- Limit on enrollment of locally defined priority populations

- Local areas are limited to serve not more than 10% of locally defined priority populations. The 10% limitation is based on the percentage of individuals enrolled in individualized or training services in the current fiscal year.

- Geographical restrictions on WIOA and training services

- Local areas may elect to implement geographical restrictions on access to training funds only. However, Veterans and eligible spouses are **not** subject to geographical restrictions on access to training funds.

- **Local Workforce Board Approval** – The activities leading to the approval of the local area Priority of Service policy must be formally documented and official minutes of the relevant MassHire Board's proceedings available for review.

**Documentation of Adult Customer Priority Status** – Acceptable forms of source documentation including acceptable assessment tools for Basic Skills Deficient as it relates to priority status are located in MassHire Workforce Issuance #100 DCS 18.101.2 - Eligibility Requirements for WIOA Title I Adult and Dislocated Workers Policy –

- **Documentation of Locally Defined Priority Populations** – The criterion used to identify that an individual is included in the locally defined priority population must be documented.
- **Standard Operation Procedures** – The local area Priority of Service policy must be included in local area Standard Operating Procedures. Staff must be trained on the use of the local area Priority of Service policy and procedures.
- **Monitoring** – MassHire Workforce Boards are required to ensure compliance with procedural requirements described in this policy.
- **MOSES Data Entry** – Staff are to record in MOSES on the “Barriers” tab the criterion that identifies an individual to be included in the locally defined priority population.

**Action**

**Required:** Please share with managers, staff and partners as appropriate, and ensure technical assistance and training as needed.

**Attachment:** A - Examples of Local Area Priority of Service Populations  
B – Definitions

**Effective:** Immediately

**References:** WIOA sec. 134 (c)(3)(E)  
WIOA Final Rules: 20 CFR §680.600  
Training and Employment Guidance Letter [\(TEGL\) No. 19-16](#): *Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Services (ES), as amended by Title III of WIOA. And for Implementation of the WIOA Final Rules*  
Mass Workforce Issuance [100 DCS 15.100](#): Veterans Priority of Service

**Inquiries:** Please email all questions to [PolicyQA@MassMail.State.MA.US](mailto:PolicyQA@MassMail.State.MA.US); indicate the issuance number and description.