



Workforce Issuance

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☒ **Policy** ☐ **Information**

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 6, 2019

Subject: **Implementing Veterans' Priority of Service for Veterans**

Purpose: To notify MassHire Workforce Boards, MassHire Career Center Operators, and other workforce partners of procedural guidance on the implementation of Priority of Service for Veterans and eligible spouses.

Background: Massachusetts Proudly Serves those who served by providing Priority of Service to Veterans and eligible spouses in Workforce programs. The Jobs for Veterans Act (JVA), Public Law 107-288 Title 38, U.S.C S4215 requires all recipients and sub-recipients of DOL funds to provide Priority of Services to Veterans and eligible spouses. The Commonwealth is committed to assuring the provision of Veterans' priority of service with regard to federal employment and training programs and services accessed through the state's MassHire Career Center System.

Policy: MassHire Workforce Boards, MassHire Career Center Operators and other local providers of federally-funded employment and training programs/services will assure the provision of Veterans' Priority of Service for all covered persons in a manner of consistent with the requirements. Priority of Service for Veterans is implemented and provided at the point of entry (POE). Priority of Service applies to any means; electronic, in person, or otherwise that permits access to the workforce system. MassHire Workforce Boards and local service providers are required to establish local policies and best practices that demonstrate Priority of Service for Veterans. Veterans and spouses eligible for priority of service are referred to as covered persons, while those not eligible for priority of service are referred to as non-covered persons.

Priority of Service applies to all WIOA Wagner Peyser, Title III funded activities including technology assisted activities, Senior Community Service Employment Program (SCSEP), Indian and Native American Programs (INAP), National Farmworker Job Training Programs (NFJP), Trade Adjustment Assistance Programs (TAA), Job Training Programs funded by the Women's Bureau, and other current or future qualified job training programs. Qualified Job Training Program means any program or service for workforce preparation, development, or delivery that is directly funded, in whole or in part, by the Department of Labor, (DOL). Regulations require the provision of Priority of Service for Veterans to begin at *point of entry* for each USDOL program, whether the point of entry is a physical location or a web site, or other virtual service.

Veterans and covered persons are encouraged to identify themselves through self-attestation at all points of entry. Triage procedures must include customer screening to identify covered persons for priority of service to veterans, by asking the customer if they have served in the US Military or if they are the spouse of a Veteran eligible for priority of service. Once a covered person has been identified they must be made aware of their entitlement to priority of service, and subsequently informed of the full array of employment, training, and placement services and the eligibility requirements for those programs and services.

Verification of covered persons is not necessary or desired at point of entry to provide priority of service unless the covered person is to immediately undergo eligibility determination and become registered and enrolled into a specific program and the applicable federal rules require verification of Veteran status at that time. Under circumstances when eligibility and enrollment occur at point of entry, the covered person must be provided with immediate priority and provided the opportunity to follow up with any required verification.

Priority of service for Veterans and eligible spouses means that covered persons are entitled to precedence over non-covered persons for services. This means that a Veteran or an eligible spouse either receives access to a service earlier in

time than a non-covered person or, if the resource is limited, the Veteran or eligible spouse receives access to the service instead of or before the non-covered person.

Eligibility: Per TEGL No. 10-09, Veterans and eligible spouses who are defined as covered persons are eligible for priority of services. For the purpose of eligibility for priority of service for Veterans, the broad definition of Veteran under 38 USC 101 (2) applies. To be eligible for priority of service the term Veteran means a person who served at least one day of active duty (other than active duty for training) and was discharged or released under other than dishonorable conditions, under 38 USC 101 (2). Eligible spouse as defined under 38 USC 101 (2) applies to any veteran who died of a service connected disability, has a total 100% service connected disability; is missing action, or captured or detained in the line of duty.

Application: For universal access programs that deliver services without targeting specific groups, covered persons receive priority of service over all other participants.

For programs with eligibility criteria, covered persons must meet any statutory eligibility requirement.

For those programs with statutory priorities that require preference to be given to a particular group, covered persons who meet those statutory requirements receive the highest priority for the program or services.

Action

Required: Please share this information with all appropriate staff to ensure they are knowledgeable about the requirements for Priority of Service. MassHire Workforce Boards and MassHire Career Center Operators should review local policies to ensure compliance with these requirements of priority of service to Veterans, including the assurance of priority of service at each point of entry for all applicable employment and training programs.

Priority of Service cannot be waived, superseded, or negated by any state or local statute, policy, or regulation; including any locally imposed residency requirement.

Veterans' priority of service is not applicable to the Unemployment Insurance Program.

Attachment: A. Training and Employment Guidance Letter 10-09 Implementing Priority of Service for Veterans and eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the US Department of Labor (DOL)

- B. Protocol for Implementation of Priority of Service for Veterans and Eligible Spouses.
- C. Priority of Service Notice Poster

Effective: Immediately

Inquiries: Please email all questions to PolicyQA@detma.org indicating Issuance number and description.