



# **PRIORITY OF SERVICES TO VETERAN CUSTOMERS**

**NOVEMBER 3, 2008**



**“WE PROUDLY SERVE THOSE WHO PROUDLY SERVED OUR  
COUNTRY”**



# BACKGROUND

- **November, 2002 Public Law 107-288 Jobs for Veterans Act (JVA) creates a priority of service (POS) requirement for covered person(s) in Department of Labor qualified job training programs.**
- **September, 2003 Training and Employment Guidance Letter (TEGL) 05-03 provided guidance on the programs that were impacted by POS.**
- **December, 2006 Public Law 109-461 requires DOL to issue regulations regarding the implementation of POS.**



# **WHY PRIORITY OF SERVICE?**

- **Important acknowledgement of the sacrifices of the men and women who have served in the U.S. armed forces and their eligible spouses.**
- **Honors veterans and eligible spouses as our “Heroes at Home”.**



# **WHAT IS PRIORITY OF SERVICE?**

- **Priority of Service entitles covered persons, including Veterans and eligible spouses of Veterans, who are otherwise eligible, take precedence over non-covered persons in obtaining DOL funded services.**
- **Regulations provide that covered persons receive access to the service or resource, earlier in time, than non-covered persons; or if the service or resource is limited, covered persons receive access to the service or resource instead of or before non-covered persons.**



# WHO IS COVERED?

- **A Veteran is covered. Veteran status is based on the definition in 38 U.S.C. 101(2) and is defined as “a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.”**
- **A spouse of any of the following individuals is covered: (i) Any veteran who died of a service-connected disability. "(ii) Any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed for a total of more than 90 days: (I) missing in action, (II) captured in line of duty by a hostile force, or (III) forcibly detained or interned in line of duty by a foreign government or power. "(iii) Any veteran who has a total disability resulting from a service- connected disability.“ (iv) Any veteran who died while a disability so evaluated was in existence.**



## **WHICH PROGRAMS MUST PROVIDE PRIORITY OF SERVICE?**

- **Priority of service applies to every workforce preparation, development, or delivery program or service that is directly funded in whole or in part by the Department of Labor.**
- **Priority of service is intended to apply to all such programs currently in operation, as well as all new such programs that come into existence in the future.**



# **CAN PRIORITY OF SERVICE BE WAIVED?**

- **In accordance with 38 U.S.C. 4215(a)#3), priority of service will be applied for covered persons in all qualified programs and services “notwithstanding any other provisions of law” and cannot be waived.**



# IMPLEMENTATION REQUIREMENTS

- **The One-Stop Career Centers (OSCCs) must have procedures and processes in place to ensure that:**
  - **Covered persons are identified at the “point of entry” (the point at which a customer first come in contact with DOL funded programs and services – whether in-person or virtually) to allow them to take fullest advantage of priority of service; and**
  - **Covered persons are aware of the full array of services available under POS, and any eligibility requirements they must meet to gain entry into the program or receive the service.**

**Please note:** Because of the broad scope of programs, a single procedure for all programs is not feasible and will not be specified, however, each program will need procedures that best fit within program’s context and current customer flow.



# **HOW WILL PRIORITY OF SERVICE BE APPLIED?**

- **Veterans must meet program eligibility requirements in order to obtain priority of service.**
- **DOL programs or services fall into three broad categories:**
  - 1. Programs whose eligibility requirements do not target specific groups (universal access)**
  - 2. Programs with discretionary targeting of specific groups pursuant to a federal statute or regulation.**
  - 3. Programs with statutory targeting pursuant to a federal statute or regulation**



# **IMPLEMENTATION REQUIREMENTS**

- 1. Programs whose eligibility requirements do not target specific groups.**

**Programs designed to serve the general population as a whole (ie: Wagner Peyser) Career Centers must identify covered persons and give all covered persons priority of service over non-covered persons for program services.**



# **IMPLEMENTATION REQUIREMENTS**

## **2. Programs with discretionary targeting of specific groups pursuant to a federal statute or regulation.**

**Programs designed by statutes or regulations to focus on a particular group, or to make efforts to provide a certain level of service to such group, but such focus is optional or discretionary (i.e National Emergency Grants). In that case, priority of service takes precedence over the discretionary priority.**



# **IMPLEMENTATION REQUIREMENTS**

## **3. Program with statutory targeting pursuant to a federal statute or regulation.**

**Programs that have federally mandated priority or preference for a particular required group of individuals (ie: WIA Adult and Youth), priority of service should be implemented in the following order:**

- Veterans or their eligible spouse who meet the mandatory requirements would receive the highest priority.**
- Non-veterans who meet mandatory requirements would receive preference over Veterans or their eligible spouse who do not meet mandatory requirements.**
- Veterans or their eligible spouse not meeting mandatory requirements would receive POS over non-veterans who also do not meet mandatory requirements.**

**Please note: Veterans POS will always take precedence over state or locally imposed priorities and preferences, ie: local residency requirements).**



## **DATA COLLECTION AND REPORTING ON PRIORITY OF SERVICE FOR VETERANS**

- **No data entry changes will be needed in order to report POS to veterans since required data elements are currently collected on MOSES.**
- **Reporting changes affecting POS will be implemented by the federal reporting procedures.**



## FY2009 Veteran Performance Measures Projections Using FY2008 - 4th Quarter Data

Performance Measures	<i>FY08 Rate</i>	<i>FY09 Goal</i>	<i>% of Goal</i>
<b>DVOP Specialists</b>			
Entered Employment Rate - Disabled Veterans	52%	51%	102%
Employment Retention Rate - Disabled Veterans	77%	78%	99%
Average Earnings - Disabled Veterans*	\$15,229	\$15,500	98%
<b>LVER Staff</b>			
Entered Employment Rate - Recently Separated Veterans	65%	63%	103%
Employment Retention Rate - Recently Separated Veterans	77%	78%	99%
Average Earnings - Recently Separated Veterans*	\$16,292	\$17,000	96%
<b>DVOP/LVER Staff</b>			
Entered Employment Rate - Not Weighted	61%	66%	92%
Entered Employment Rate - Weighted	72%	66%	109%
Employment Retention Rate	80%	79%	101%
Average Earnings	\$17,069	\$17,000	100%
<b>Career Center Veterans/Other Eligibles</b>			
Entered Employment Rate	60%	62%	97%
Employment Retention Rate	80%	82%	98%
Average Earnings	\$17,586	\$18,000	98%
<b>Career Center Disabled Veterans</b>			
Entered Employment Rate	51%	53%	96%
Employment Retention Rate	76%	78%	97%
Average Earnings	\$15,319	\$15,500	99%

\* Average Earnings is not a negotiated measure for this group.



# QUALITY ASSURANCE

- **In conjunction with DOL Employment and Training Administration (ETA) and Veteran Employment and Training Services (VETs), DCS will monitor and evaluate recipients of DOL funds to ensure that covered persons are made aware of and are afforded priority of service.**



# Next Steps

- **DCS will issue policy on priority of service to Veteran customers.**
- **Local Workforce Investment Board (LWIB) plans will need to address priority of services based on policy issuance.**
- **All Career Center staff must receive training in implementing priority of service to Veteran customers.**



# **ADDITIONAL VETERAN PROGRAM HAPPENINGS**

- **Governor's Advisory Council on Veteran Affairs**
- **National Guard Initiatives**
- **Desk Guide**
- **ReaLifelines Program**
- **EOHHS Project**
- **Veterans with Traumatic Brain Injury (TBI) Consortium**