



## **Southern Indiana Works Veteran Priority of Service**

**TITLE: WorkOne Veteran Priority of Service**

**ISSUE DATE: June 30, 2009**

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### **Purpose**

To provide guidance on the Priority of Service Requirements for Veterans and Eligible Spouses under the Workforce Innovation and Opportunity Act. The Department of Labor issued regulations implementing priority of service for veterans and eligible spouses, as provided by the Jobs for Veterans Act. Jobs for Veterans Act calls for priority of service to be implemented by all qualified job training programs, directly funded in whole or in part by the Department of Labor.

### **References**

- DOL ETA, TEGL 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 U.S. Department of Labor
- Veterans' Program Letter 07-09 Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in whole or in part by the U.S. Department of Labor
- DWD Policy 2015-08 Priority of Service for Veterans and Eligible Spouses in Indiana Department of Workforce Development's Integrated WorkOne Offices
- DWD Policy 2019-03 Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) Specialist and Local Veterans' Employment Representative (LVER) staff in Indiana Department of Workforce Development's integrated WorkOne American Job Center Indiana offices
- Southern Indiana Works Eligibility and Participant Payment Criteria: Wagner-Peyser, Adults, Dislocated Workers, Youth, Trade Adjustment Assistance and Veterans under the Workforce Innovation and Opportunity Act (WIOA)

### **Background**

Southern Indiana Works is the grant recipient of the Workforce Innovation and Opportunity Act funding for the region. Southern Indiana Works is required to comply and enforce Federal Regulations and Indiana Department of Workforce Development policies and procedures for services provided at WorkOne offices. *The Board reserves the right to modify or suspend policies at their discretion.*

## **Required Action**

All Southern Indiana Works staff must adhere to this policy.

## **Additional Information**

Questions regarding this policy should be directed to [info@soinworks.com](mailto:info@soinworks.com)

## **Definitions**

- **Covered Person** – A veteran who is eligible or the spouse of an eligible veteran who is entitled to receive priority of service as a person who has served at least one day in the active military, naval, or air service and who was discharged or released from service under any condition other than a condition classified as dishonorable. This definition includes Reserve units and National Guard units activated for Federal Service.
- **Qualified job training program** – Any workforce preparation, delivery program, or service that is directly funded, in whole or in part, by the Department of Labor and includes the following:
  - Any such programs or services that use technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services).
  - Any such program or service under the public employment system, One-stop Career Centers, the Workforce Innovation and Opportunity Act of 2015, a demonstration or other temporary program, and/or those programs implemented by states or local service providers based on Federal block grants administered by the Department of Labor.
  - Any such program that is a workforce program targeted to specific groups.
- **Veteran** – A person who served at least one day in the active military, naval, or air service and who was discharged or released under conditions other than dishonorable, as specified in 38 U.S.C. 101(2).
- **Active duty** – Full-time duty in the Armed Forces, other than active duty for training. This definition of “active service” does not include full-time duty performed strictly for training purposes, (i.e., that which often is referred to as “weekend” or “annual” training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities. (State mobilizations usually occur in response to events such as natural disasters.)
- **Armed Forces** – United States Army, Navy, Marine Corps, Air Force, and Coast Guard.
- **Eligible spouse** – means the spouse of any of the following:
  - Any veteran who died of a service-disconnected disability
  - Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
    - Missing in action
    - Captured in line of duty by a hostile force
    - Forcibly detained or interned in line of duty by a foreign government or power
  - Any veteran who has a total disability resulting from a service-connected

- disability, as evaluated by the Department of Veterans Affairs
- Any veteran who died while a disability was in existence
- NOTE: A spouse whose eligibility is derived from a living veteran or service member would lose his or her eligibility if the veteran or service member were to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

### **Priority of Service**

Southern Indiana Works WorkOne Career Centers are required to ensure that Priority of Service is observed. To further improve service to veterans, the Priority of Service to Veterans and Eligible Spouses Federal Regulations, effective January 19, 2009, provides specific guidance on how One-stop Career Center providers, Wagner-Peyser staff, DVOPs, and LVERs are to serve veterans with respect to priority of service.

As defined in Section 2(a) of the JVA (38 U.S.C. 4215(a)), “priority of service means, with respect to any qualified job training program, that a covered person shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provisions of the law.”

Priority in the context of providing priority of service to veterans and other covered persons in qualified job training programs means the right to take precedence over non-covered persons in obtaining services. Depending on the type of service or resource being provided, taking precedence may mean:

- The covered person receives access to the service or resource earlier in time than the non-covered person; or
- If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

Priority of service applies to every qualified job training program funded, in whole or in part, by the Department of Labor, including:

- Any such program or service that uses technology to assist individuals to access workforce development programs (such as job and training opportunities, labor market information, career assessment tools, and related support services); and
- Any such program or service under the public employment service system, One-stop Career Centers, the Workforce Innovation and Opportunity Act, a demonstration, or other temporary program; any workforce development program targeted to specific groups; and those programs implemented by States or local service providers based on Federal block grants administered by the Department.

The implementation of priority of service does not change the intended function of a program or service. Covered persons must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service.

### **Implementation**

Veteran and eligible spouse customers will be identified upon entry at Southern Indiana Works WorkOne Career Centers and allowed to move to the front of the waiting line. To assist with

identifying veterans and eligible spouses, Priority of Service signs are posted in all WorkOne offices. Signs are framed and displayed in a manner where the public and especially veteran and eligible spouse customers can easily see them. In accordance with the priority of service sign, veterans and eligible spouses should notify staff upon entry into the facility. Typically, this will be near the point of entry. Customers with visual impairments must be asked if they are a veteran or eligible spouse.

Once identified, WorkOne staff ensure that covered persons are aware of:

- Their entitlement to priority of service;
- The full array of employment, training, and placement services available under priority of service; and
- Any applicable eligibility requirements for those programs and/or services.

Point of entry may include reception through a WorkOne Career Center as part of an application process for a specific program, or through any other method by which covered persons express an interest in receiving services, either in-person or virtually.

### **Procedures and Process**

1. Priority of service posters are posted at or near the entrance of each Southern Indiana Works WorkOne Career Center to assist with identifying veterans and eligible spouses.
2. Veterans and eligible spouses should notify staff upon entry into the facility. If a customer is identified as a veteran or eligible spouse staff should take immediate action to route the customer to the next appropriate point-of-service, where the customer should be the “next customer served”. The Welcome desk has a sign-in sheet and customers are asked if they are a veteran or eligible spouse of a veteran at entry.
3. If the customer has previously enrolled, staff should arrange for them to be the “next customer served” at the next appropriate point-of-service (i.e. U.I. or self-service computers, etc.). If the customer has not had previous services at Southern Indiana Works WorkOne, then staff should arrange for them to be the “next customer served” at the Welcome Desk. The staff at the Welcome Desk must proceed with the registration process. They must ask the customer if they identify as a veteran or an eligible spouse of a veteran during the registration session. If the customer identifies as a veteran or an eligible spouse of a veteran during the welcome process they must be aware that they are entitled to priority of service. They will be provided with information and informed about available services and asked if they would like to meet with a career coach.
4. If the customer indicates a desire for further assistance and veteran status the welcome staff should refer the customer to a career coach for an informational interview. At the initial meeting, customers will be made aware of career services and special programs along with any applicable eligibility requirements.
5. As noted in the following Verification session, Federal regulations require that all individuals who are veterans be identified as veterans in the Wagner-Peyser labor exchange system, regardless of eligibility requirements. Staff must ask the customer if they have a DD214 with them. If they have a DD214 document, then the welcome staff or coach should make a copy and upload to the customer’s file. If the customer does not have a DD214, then staff must order a DD214 document from the eVetRecs system

<https://www.archives.gov/veterans/military-service-records> as part of the enrollment and registration process which requires a signature of the client. Staff and the customer should work together to order the DD214. Staff must record a case note indicating the date the DD214 was ordered. Staff are responsible for ensuring the DD214 is received and uploaded into the customer's file. Once received, staff must enter a case note indicating the DD214 was received and uploaded into the customer's file.

**Note: A majority of veterans should be served by Wagner-Peyser or WIOA staff rather than Jobs for Veterans State Grant (JVSG) Veteran staff.**

This allows Veterans' staff efforts to focus on veteran customers with significant barriers to employment. Additional eligibility requirements apply to eligible veterans or eligible spouses with significant barriers to employment (SBE) served by Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff. The eligibility requirements and roles and responsibilities of DVOP and LVER staff are stated in DWD Policy 2019-03 *Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) Specialist and Local Veterans' Employment Representative (LVER) staff in Indiana Department of Workforce Development's integrated WorkOne American Job Center Indiana offices*. Policy 2019-03 defines the eligible veterans, eligible spouses, and additional service populations as well as roles and responsibilities of WorkOne staff serving veterans.

**Verification**

- Basic Career Services – No source documentation needed for eligibility when these services are accessed or provided unless the individual who self-identifies as a veteran or eligible spouse:
  - Is to immediately undergo eligibility determination and be registered or enrolled in a program; and
  - The applicable federal program rules require verification of a veteran or eligible spouse status at that time.
  
- Programs or Services that cannot rely on self-attestation – Verification only needs to occur at the point at which a decision is made to commit outside resources to one individual over another for these programs or services.
  - When verification of eligibility is required in these instances, a veteran or eligible spouse should be enrolled, provided immediate priority, and be permitted to follow-up subsequently with any required verification of his or her status as a veteran or eligible spouse.
  
- Labor Exchange System Reporting - Federal regulations require that all individuals who are veterans be identified as veterans in the Wagner-Peyser labor exchange system, regardless of eligibility requirements.
  
- Verification of veteran status or eligible spouse - When verification is required, the following official documents may be used:
  - A DD 214 (issued following separation from active duty);
  - An official notice issued by the Department of Veterans Affairs that establishes entitlement to a disability rating or award of compensation to a qualified dependent;
  - An official notice issued by the Department of Defense that documents the eligibility of an individual, based on the missing or detained status of that individual's active duty spouse; or

- An official notice issued by a State veterans' service agency that documents veteran status or spousal rights, provided that the State veterans' service agency requires Federal documentation of that information.

**NOTE: Staff should refer to the Southern Indiana Works Eligibility and Participant Payment Criteria policy for Veteran eligibility, priority and data validation criteria.**