

## WORKFORCE POLICY BULLETIN

WPB #: 07-05

**DATE:** May 9,2005

**TO:** Contra Costa One-Stop Operator Consortium  
Youth Contractors

**ATTN:** Operational Management

**FROM:** Bob Lanter, Executive Director  
Workforce Development Board

**SUBJECT:** Priority of Service Policy for Workforce Investment  
Act Services

**SUBJECT:**

- ADMIN
- PLANNING
- MARKETING
- EEO/AA
- FISCAL
- OPERATIONS
- RAPID RESPONSE

**SPECIAL FILING:** X

### **Purpose:**

The purpose of this Workforce Board Bulletin is to issue this Workforce Investment Area's Policy regarding priority of service criteria for enrollment into WIA Adult and Dislocated Worker programs. It also establishes priority for eligibility for training services based on the ITA Income Limits. The first set of criteria is used when the WDB does not consider WIA funds limited; the second set is used when the WDB determines that WIA funds are limited. It also establishes the economic triggers needed to implement priority of service.

Public Law 107-288, the Jobs for Veterans Act, was designed to improve training, employment and job placement services offered to veterans and qualifying spouses.

The WIA requires that priority for services must be given to veterans/spouses of certain veterans at any time, and the hardest to serve population in times of limited resources.

A participant must meet the statutory eligibility to qualify as a Dislocated Worker, and then, if the participant is a veteran or a spouse of certain veterans, she/he must be given priority over Dislocated Workers who are non-veterans.

When WIA funds become limited, it is appropriate for local areas to change their service delivery design.

### **Policy:**

This policy supercedes Workforce Board Bulletin #04-04.

It is the policy of the Workforce Development Board of Contra Costa (WDB) that it will review Workforce Investment Act (WIA) Adult and Dislocated Worker funding availability and other appropriate criteria on a periodic basis to determine if funding is limited. This review will occur at

least annually. Criteria used during this review will include current and projected obligations for WIA services and other funds available locally. WDB staff will be responsible for notifying the WDB of funding limitations that may occur during the year. The WDB may identify additional criteria for determining priority of service at its discretion and reserves the right to modify this policy, as it deems necessary.

The WIA Adult, Youth, and Dislocated Worker programs will provide a priority of service to veterans/spouses of certain veterans under the Jobs for Veterans Act beginning with PY 2004-05 whether or not funds are deemed to be limited.

The following criteria developed by the ETA will be applied for the Adult, Older Youth (19-21 years of age) and Dislocated Worker programs:

Eligibility for the WIA Adult, Older Youth and/or Dislocated Worker program is not changed by the veterans' priority.

The Jobs for Veterans Act provides priority service only to veterans/covered persons who meet the WIA Adult, Older Youth or Dislocated Worker program eligibility requirements.

- Available funds will not change nor are local areas required to set aside funds to serve veterans.
- The priority for veterans is mandated by law and cannot be waived.
- When eligibility requirements are met and all other things are equal, veterans or spouses of certain veterans will receive priority over non-veterans.

When the WDB determines that funds are not limited in the local area, the following priority of service criteria will apply to WIA services:

#### **Adults**

- 100% of WIA Adult clients must meet the minimum WIA Adult program eligibility criteria, and
- At least 20% WIA Adult clients must meet low-income guidelines and/or receive public assistance, and
- At least 10% of WIA Adult clients must have additional barriers to employment, and
- At least 50% of WIA Adult clients must be residents of the EASTBAY Works region.

#### **Dislocated Workers**

- 100% of WIA Dislocated Worker clients must meet the minimum WIA Dislocated Worker program eligibility criteria, and
- At least 50% of WIA Dislocated Worker clients must reside within the EASTBAY Works region.

#### **Individual Training Services**

- Access to WIA funded training services is based on WIA program eligibility.
- Clients access and training services are funded on a first come, first served basis.

When the WDB determines that funds are limited in the local area, the following priority of service criteria will apply to WIA services:

#### **Adults**

- 100% of WIA Adult clients must meet the minimum WIA Adult program eligibility criteria, and
- At least 60% of WIA Adult clients must meet the low-income guidelines, and
- At least 20% of WIA Adult clients must have additional barriers to employment, and

- 100% of WIA Adult clients must reside within the EASTBAY Works region.

### Dislocated Workers

- 100% of WIA Dislocated Worker clients must meet the minimum WIA Dislocated Worker program eligibility criteria, and
- At least 30% of WIA Dislocated Worker clients must be unemployed for more than 90 days at the time of enrollment and/or unlikely to return to previous occupation or industry, and
- 100% of WIA Dislocated Worker clients must reside within the EASTBAY Works region.

### Individual Training Services

- Individuals in the WIA Adult or Dislocated Worker program must have an annual family income at or below the Individual Training Account (ITA) Income limits in order to qualify for an ITA.
- 100% if ITA recipients must reside within the EASTBAY Works region.

ITA Income Limits		(Low-Income Limits of HUD Median Family Income by Family Size)						
Family Size	1	2	3	4	5	6	7	8
Family's Annual Income	\$40,600	\$46,400	\$52,200	\$58,000	\$62,650	\$67,300	\$71,900	\$76,500

### Definitions:

The following definitions will apply under this policy:

- **Low-income guidelines**

Pursuant to WIA Section 101(25), the term low-income individual means an individual who:

- a) receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- b) received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved that, in relation to family size, does not exceed the higher of the poverty level or 70% of the lower standard income level;
- c) is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;
- d) qualifies as a homeless individual as define by the Stewart B. McKinney Homeless Assistance Act;
- e) is a foster child on behalf of whom State or local government payments are made, or in cases permitted by regulation is an individual with a disability whose own income meets the requirements described in paragraph (a) or (b) above, but who is a member of a family whose income does not meet such requirements.

- **Public Assistance**

In addition to those public assistance programs outlined under the low-income guidelines, above, the following programs will be considered as public assistance for the purpose of eligibility under this policy:

a) recipients of SSDI, Medicaid, Medicare, and/or Medical

- **Additional Barriers to Employment**

Additional barriers to employment will include:

- a) basic skills deficient;
- b) school dropouts/no HS diploma;
- c) offenders;
- d) older workers;
- e) disabled;
- f) limited English language skills;
- g) migrant seasonal farm worker.

- **Veteran**

An individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable, which may include National Guard or Reserve personnel.

- **Military Spouse**

An individual who is married to an active duty service member including National Guard or Reserve personnel in active duty. The surviving spouse of an active duty service member who lost his/her life while on active duty service in Afghanistan, Iraq or other combat-related areas is considered to be a military spouse. Additionally, a military spouse may also qualify to be served as a Dislocated Worker if she/he meets the definitional requirements for a Displaced Homemaker.

- **Adult**

An individual who is 18 or older.

- **Dislocated Worker**

**The term “Dislocated Worker” is statutorily-defined for receiving services under WIA. The specific requirements for eligibility are at WIA Section 101(9) as well as WIA Sections 173(c)(2)(A) and 173(d)(2) for certain National Emergency Grants (NEGS).** Generally a dislocated worker is an individual who has been or is scheduled to be laid off or terminated and requires assistance (including retraining or upgrading of skills) to find or qualify for new employment in a 21<sup>st</sup> Century workplace. This includes a single worker or small groups of workers, as well as workers affected by mass layoffs, plant closures, defense downsizing and realignments, certain self-employed individuals as well as displaced homemakers as defined at WIA Section 101(10).

- **Displaced Homemaker**

An individual who has been providing unpaid services to family members in the home and who has been dependent on the income of another family member but is no longer supported by

that income, and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

**In order for funds to be deemed limited, the Executive Committee or full Workforce Development Board must take action and vote accordingly. Staff will use the following economic triggers to recommend implementation of the Priority of Service Policy.**

The following triggers will allow for the implementation of the priority of service policy to occur at anytime throughout the program year.

- An increase in the rate of WIA expenditures. This expenditure rate must be 20% more than budgeted as outlined in WDB expenditure reports.
- An increase in the demand for services. This is defined by a 25% increase in the amount of universal service customers (cumulative) over the same period in the previous year.
- Mass layoffs/closures or a severe economic event or emergency.

The following triggers will allow for implementation of the priority of service policy to occur during a yearly program/fiscal review to take place during the 4<sup>th</sup> quarter of each fiscal year.

- A funding reduction in WIA formula funds. This reduction must be 10% or greater over the previous year.
- An increase in the relative unemployment rate. This increase must be equivalent to 0.5% over the previous year.

**Citations:**

- State of California Employment Development Department Workforce Investment Act Information Bulletin Number WIAB04-4, July 6, 2004
- Department of Labor Training and Employment Letter (TEGL) 5-03, September 16, 2003
- “Jobs for Veterans Act” (Pub. L.107-288), 11/07/02
- Department of Labor Training and Employment Letter (TEGL) 22-04, March 22, 2005

If you have any questions regarding this bulletin, please contact Linda Chandler 925-646-5239.

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Youth Contractors