



Workforce Investment Board  
*Reaching Business*



CITY OF OAKLAND  
OFFICE OF ECONOMIC AND WORKFOCE DEVELOPMENT  
OAKLAND WORKFORCE INVESTMENT BOARD

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**DIRECTIVE No:** 12-003  
**TO:** WIA Service Providers  
**EFFECTIVE:** July 1, 2012  
**SUBJECT:** Priority of Services – Policies and Procedures  
**REFERENCES:**

- Federal Register Friday August 11, 2000 Department of Labor
- 20 CFR Part 652 et al. Workforce Investment Act; Final Rules 663.600 and 663.610
- State of California Workforce Investment Division, Directive WSD08-10, Final Rule on Priority of Service for Veterans and Eligible Spouses
- Training and Employment Guidance Letter (TEGL) 22-04, Serving Military Service Members and Military Spouses under the WIA Dislocated Worker Formula Grant
- Department of Labor Employment and Training Administration TEGL No. 5-03,
- Jobs for Veterans Act (Pub. L.107-288), 11/02/02

**PURPOSE:**

The purpose of the Priority of Services policy is to provide guidance on how the WIA Service Providers in Oakland would prioritize the services provided to individuals seeking assistance from WIA-funded programs, whether adults, dislocated workers or youth.

**Priority of Services based on Residency**

The Oakland Workforce Investment Board would like to use “residency” within the local Workforce Investment Area (defined as the City of Oakland) as the local priority of services for receipt of intensive and training services. This applies to WIA Title I Formula Grants for adult and dislocated workers. WIA already requires residency within the local Workforce Investment Area for youth services.

Residency requirements will not necessarily apply to discretionary grants or programs.

In the case of Dislocated Workers, exceptions may be made if the individual:

1. Works in an employer facility located in Oakland, or
2. Has worked during the last six months in an employer facility located in Oakland

Exceptions to this policy may be considered on a case-by-case basis for extraordinary circumstances.

### **Priority of Services for Recipients of Public Assistance and Low-Income Individuals**

In addition to the residency within the local area priority, the Workforce Investment Act requires that in the event that funds allocated to a local area for adult employment and training activities are limited, priority for intensive and training services funded with Title I adult funds must be given to recipients of public assistance and other low-income individuals in the local area.

The greatest priority would be given to veterans, spouses of veterans, or other covered persons who are recipients of public assistance or low-income as defined in WIA.

There are no statutory guidelines for dislocated workers.

### **Priority of Services for Veterans/Spouses of Veterans**

Federal regulations regarding the Priority of Service for Veterans/Spouses of Certain Veterans are to be applied to all workforce preparation, development or delivery of programs or services for the Workforce Investment Act (WIA) programs of Adult, Dislocated Worker, Older Youth, and the National Emergency Grant (NEG) programs.

#### **Definitions:**

A Veteran/Covered Person under the Jobs for Veterans Act is defined as:

- (A) A veteran
  - i. Service in the active military, naval, or air service, and discharge under conditions other than dishonorable.
  - ii. Full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.
- (B) The spouse of any of the following individuals:
  - 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, pursuant to section 556 of title

37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for a total of more than 90 days:

- a. missing in action,
  - b. captured in line of duty by a hostile force, or
  - c. 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.

The US Department of Labor's guidance makes note of the fact that local programs are not required to change their allocations among services to reserve funds for veterans, but are required to ensure that eligible veteran workers are given priority over non-veterans for all available services.

When both a veteran/spouse of certain veteran and a non-veteran are being considered for WIA enrollment, and both:

- Are unable to retain/obtain employment through Core Self-Directed Services,
- Complete a staff evaluation of their appropriateness for services and whether they have a reasonable expectation of success to participate in selected services,
- Complete an appropriate referral process i.e. Steps to Success,
- Meet all of the Eligibility Criteria for enrollment: Residency, Age, Right-to-Work, Selective Service and Dislocated Worker status (if applicable).
- Require Intensive or Training services to obtain/retain employment.

BUT

- There are limited training monies or the provider contractual goals are met,

THEN:

- The Veteran or Spouse of Veteran will be given priority over the non-veteran.

Acceptable documentation will be required to verify veteran/covered person status when submitting a complete file for eligibility determination. The Technical Assistance Guides will outline acceptable documentation.

The WIA Adult, Dislocated Worker, Older Youth and National Emergency Grant (NEG) programs will provide a priority of service to veterans/spouses of certain veterans under the Jobs for Veterans Act. The following criteria developed by the Employment and Training Administration (ETA) will be applied for all of these programs:

- Veterans who access virtual service delivery programs (EASTBAY *Works* Online, aka Virtual One-Stop or VOS) will receive information on the priority of service at point of entry. In EASTBAY *Works* Online all job orders are given a 24 hour hold for Veteran Priority.

- Information regarding the priority of services to Veterans must be provided and posted at point of entry to identify persons entitled to such priority.
- One-Stop Career Centers and Affiliates must ensure that priority of service is implemented throughout the full array of services provided to veterans/spouses including universal access, referral to partner agencies and enrollment into WIA-funded programs.
- Eligibility for the WIA Adult, Older Youth and/or Dislocated Worker program is not changed by the veterans' priority.
- The priority for veterans is mandated by law and cannot be waived.

#### Data collection and monitoring

The Oakland Workforce Investment Board expects all Program Operators (including those who serve older youth) to make every effort to identify veterans and their spouses at the point of entry into WIA-funded services, as well as record the types of services received, dates of service and the employment outcome of such services. Upon enrollment, documentation of Veteran status must be collected. One-Stops and Affiliates are required to report Veteran status in the online client tracking system.

No goal is set for targeting veteran/spouse enrollments, however, the Oakland WIB staff will monitor, as part of the annual monitoring visit, to ensure that veterans/spouses of veterans are made aware of and provided priority of service. If monitoring identifies non-compliance, the results may lead to imposition of a corrective action plan.

#### **RESOURCES:**

The Employment Development Department (EDD) Veterans Service unit is currently located at: Oakland downtown One-Stop Career Center 1212 Broadway, 1st Floor Oakland, CA

And at two other offices within Alameda County:

Eden Area One Stop 24100 Amador St., 3rd Floor Hayward, CA

Tri City One Stop, Fremont 39155 Liberty St. Fremont, CA

#### **ONLINE RESOURCES:**

Employment Development Department – Veterans

[http://www.edd.ca.gov/jobs\\_and\\_training/services\\_for\\_veterans.htm](http://www.edd.ca.gov/jobs_and_training/services_for_veterans.htm)

All EDD Job Service offices have specially-trained staff to ensure veterans of the U.S. Armed Forces receive maximum employment and training opportunities. Services can include counseling, labor market information, job referrals, job search workshops, and job development with potential employers.

EASTBAY Works, Oakland (sponsored by the Oakland WIB)

<https://www.eastbayworks.com/oakland/veteran.asp>

This page contains many links to further assist veterans

VETS Resource Connection

<http://nvti.cudenver.edu/VETSResource2/default.htm>

The VETS Resource Connection provides links for information and resources related to employment, reemployment, training, education and benefits for veterans.

Eden I & R Alameda County Veterans Resources

<http://www.alamedaco.info/resource/veteranServices.cfm>

The Eden I & R Veterans resource provides links for information and resources related to housing, health, child care, health/mental health, emergency shelter, legal/advocacy and other benefits for veterans.

#### **ACTION:**

The Oakland WIB and its service providers shall follow this policy. This policy will remain in effect from the date of issue until such time that a revision is required.

#### **INQUIRIES:**

Inquiries should be addressed to the Oakland WIB's Executive Director.

**APPROVED BY THE WIB:** September 27, 2012