

TULARE COUNTY WORKFORCE INVESTMENT BOARD, INC. WORKFORCE INVESTMENT ACT TITLE I-B ACTIVITIES	DATE: July 5, 2005
	SUBJECT: Veterans' Priority

TCWIB DIRECTIVE

TCWIBD-05-4

TO: TCWIB Service Providers
TCWIB/WID Staff

SUBJECT: IMPLEMENTING THE VETERANS' PRIORITY PROVISIONS (PL 107-288)

EXECUTIVE SUMMARY

Purpose:

The purpose of this directive is to provide information about implementing the Veterans' Priority Provisions of the "Jobs for Veterans Act" (PL 107-288).

Scope:

This directive applies to all TCWIB WIA programs.

Effective Date:

This directive is effective upon date of issue.

References:

- "Jobs for Veterans Act" (Pub. L. 107-288)
- EDD Information Bulletin WIAB03-25
- EDD Information Bulletin WIAB04-4

TULARE COUNTY WORKFORCE INVESTMENT BOARD, INC. (TCWIB) – IMPOSED REQUIREMENTS:

None.

FILING INSTRUCTIONS:

Retain this directive until further notice.

BACKGROUND:

On November 2, 2002, President Bush signed the "Jobs for Veterans Act" (Pub. L. 107-288). Section 2(a) of the Act 38 U.S.C. 4215 (a) creates priority of services for veterans (and some spouses) "who otherwise meet the eligibility requirements for participation" in DOL training programs.

Consistent with the principle that veterans' priority must be applied within the existing context of the relevant Department of Labor program, the Jobs for Veterans Act does not change the requirement that participants must qualify as eligible under the Workforce Investment Act, nor does it change local area ability to budget funds among core, intensive, training and supportive serves. 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.

The veterans' priority must be applied by assessing a person's status in light of both the veterans' priority and the existing provision(s). The terms used for these targeting provisions (such as priority, preference, and spending requirements or limitations) may vary by program. The specific term used for these targeting provisions is not as important as the effect the provisions have on the program. It is important to distinguish the targeting provisions that are statutory and mandatory compared with those that are regulatory and/or optional. The veterans' priority is a statutory mandate, but one that is not intended to displace the core function of the program.

Certain targeting provisions are derived from a statutory mandate that requires a priority or preference for a particular group of participants or requires spending a certain portion of program funds on a particular group of participants.

POLICY AND PROCEDURES:

Dislocated workers who are veterans will receive priority over non-veterans. Veterans who are not dislocated workers can not be served with dislocated worker funds. In the WIA Adult and Dislocated Workers Program, the current law requires that first priority for intensive and training services be given to public assistance recipients and low-income individuals when adult funds allocated to a local area are limited. In Tulare County, the TCWIB has determined that WIA funds are limited.

In regard to veterans, the priority of provision of services would be established as follows: Available funds would not change. First to be served would be public assistance recipients and low-income individuals who are also veterans. The second group to be served would be public assistance recipients and low-income non-veterans. Among participants who are not public assistance recipients or low-income individuals, veterans will receive priority over non-veterans.

The veterans' priority is applied as follows:

- An individual meeting both the veterans' and the mandatory priorities will obtain the highest preference for the program.
- Non-veterans within the program's mandatory priority will receive a preference over eligible veterans outside the program-specific mandatory priority requirement.
- Similarly, eligible veterans outside the program-specific mandatory priority will receive priority over non-veterans outside the priority or spending requirement or limitation (once the spending requirement or limitation is met).

ACTION:

Bring this directive to the attention of all appropriate TCWID staff and TCWIB Service Providers.

INQUIRIES:

Please direct questions about this directive to the Workforce Investment Department at (559) 713-5200.


JOSEPH H. DANIEL
Administrator

HD:LSA:LC