



---

**AB 17-08 R1**  
**Revision #1 Issued September 14, 2017**  
**Effective Date: July 1, 2017**

**ACTION BULLETIN**

**TO:** All America’s Job Centers of California (AJCC) Operators funded through the Alameda County Workforce Development Board (ACWDB)

**DATE:** July 19, 2017

**SUBJECT:** Workforce Innovation and Opportunity Act (WIOA) ADULT PROGRAM PRIORITY OF SERVICE

**Purpose of Revision:**

The purpose of this revision is to:

- identify a single, additional Priority Population category, Re-Entry Population;
- define the category;
- provide examples of documentation used to verify eligibility for the category;
- provide updated intake forms relevant to this eligibility category

Revised items will be reflected in **BOLD** text below.

**Purpose of Bulletin:**

The purpose of this bulletin is to provide clarification and guidance with regard to Priority Populations. Specifically to:

- Identify and define additional priority populations brought to light through ACWDB board involvement;
- Provide guidance with regard to how these populations must be prioritized under WIOA;
- Outline specific processes regarding the provision of services to these populations; and
- Prescribe a new customer service flow to ensure that these populations are granted priority in the provision of services under the WIOA Adult funding stream.

Some of the priority populations highlighted within the WIOA legislation have been identified and defined in ACWDB’s Action Bulletin #43, Revision II, issued September 19, 2016.

**Citation(s) and References:**

- Workforce Innovation and Opportunity Act (WIOA) of 2014; Section 134(c)(3)(E)
- WIOA (Public Law 113-128) Sections 3 and 134
- Training and Employment Notice 42-15: “Final Rules and Information Collections for WIOA and Additional DOL Administered Programs (June 30, 2016)

- Workforce Services Directive (WSD)15-14: Priority of Services (January 22, 2016)
- Training and Employment Guidance Letter (TEGL) 19-16 Guidance on Services Provided through the Adult and Dislocated Worker Programs (March 1, 2017)
- Workforce Services Directive (WSD) O8-10, Subject: “Final Rule on Priority of Service for Veterans and Eligible Spouses” (June 29, 2009)
- Training and Employment Notice (TEN) 15-10; Protocol for Implementing Priority of Service for Veterans and Eligible Spouses

**BACKGROUND:**

Under the Workforce Investment Act (WIA) priority populations were identified as:

- Individuals and families who were recipients of cash public assistance or otherwise met the standard for “low-income”; and
- Military veterans.

Additionally, WIA mandated that priority be given to these populations only when there was a determination made that WIA funds or program services were limited.

WIOA expanded the number of categories that would be considered as priority populations – and allowed Local Boards to establish additional categories. Further, WIOA mandates that these identified populations be prioritized at all times, regardless of the availability of funds and/or services.

WIOA Priority Populations:

P R I O R I T Y		Identified by:
#	Population	
1	Veterans & Eligible Spouses who are also recipients of cash public assistance or are otherwise low-income	WIOA
2	Low-Income or Basic Skills Deficient	WIOA
3	Veterans or Eligible Spouses of Veterans	WIOA
4	Individuals with Disabilities	ACWDB
5	<b>Re-Entry Population</b>	<b>ACWDB</b>
6	All other applicants who do not meet any of the priority populations referenced above	N/A

**DEFINITIONS:**

**1. Veterans and Eligible Spouses:**

A. Veterans:

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.

**B. Eligible Spouses (legal marriage at time of application is required):**

An individual whose spouse is/was:

- I. Any veteran who died of a service-connected disability;
- II. Any member of the Armed Forces serving on active duty and is/was:
  - a) Missing in action;
  - b) Captured in the line of duty by a hostile force; or
  - c) Forcibly detained or interned in the line of duty by a foreign government or power.
- III. Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veteran Affairs; or
- IV. Any veteran who died while a disability was in existence.

**2. Low-Income Families/Individuals:**

A. On the date of application, the applicant is an eligible family member on an active grant (or on a grant that has been active within the last six months) for:

- I. Temporary Aid for Needy Families (TANF)/CalWORKs;
- II. General Assistance (GA);
- III. Food Stamps/CalFresh;
- IV. Supplemental Security Income (SSI);

B. On the date of application the applicant is homeless:

- I. lacks a fixed, regular, adequate nighttime residence which includes individuals who:
  - a) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
  - b) are living in a motel, hotel, trailer park, or campground due to a lack of alternative adequate accommodations;
  - c) are living in an emergency or transitional shelter;
  - d) are abandoned in a hospital; or
  - e) awaiting foster care placement
- II. has a primary nighttime residence that is a public or private place not designed for or regularly used as regular sleeping accommodations for human beings such as in a/an:
  - a) car, vehicle;
  - b) park;
  - c) abandoned building;
  - d) bus/train station or airport;
  - e) camping ground
- III. is a migratory child who in the preceding 36 months was required to move from one school district to another due to changes in the parent's or parent's spouse's seasonal employment in agriculture, dairy, or fishing work; or
- IV. is under 18 years of age and absents himself/herself from home or place of legal residence without permission of his or her family (i.e., runaway youth)

C. On the date of application the applicant resides within the following zip codes:

- I. 94704; or
- II. 94720

These zip codes have been determined to meet the criteria for “High Poverty Areas” (as reflected in the American Community Survey 5-year data on the US Census Fact Finder website [https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml)). Residents of these areas are considered automatically low income.

- D. On the date of application the applicant is disabled and his/her own gross income falls below the Poverty Guideline for the Lower Living Standard Income Level (LLSIL) for a family of one.  
See definition of “Individuals with Disabilities” below.

### **3. Basic Skills Deficient:**

- A. An individual who does not possess a high school diploma or its equivalent; and the individual is not presently enrolled in post-secondary education; or
- B. An individual enrolled in a Title II Adult Literacy/Education program; or
- C. An individual whose tests results reflect that they perform below the 9<sup>th</sup> grade level in reading, English, writing or computing based on a standardized test that was administered within one year of the date of application; or
- D. An individual who is an English language learner (ELL):
  - I. is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual's family, or in society.

### **4. Individuals with Disabilities:**

- A. On the date of application the applicant possesses a physical or mental impairment that substantially limits one or more major life activities, such as:
  - I. caring for oneself;
  - II. performing manual tasks;
  - III. seeing, hearing, speaking, breathing;
  - IV. eating, sleeping, walking, standing, lifting, bending;
  - V. learning, reading, concentrating, thinking;
  - VI. communicating;
  - VII. working;
  - VIII. immune system functionality, normal cell growth;
  - IX. digestive, bowel, bladder, brain, respiratory, circulatory, endocrine, and reproductive functions

### **5. Re-Entry Population:**

- A. **An adult (18 or older) who:**
  - I. **is or has been subject to any stage of the criminal justice process, and for whom services under this act may be beneficial; or**
  - II. **requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction**

## **POLICY AND PROCEDURES:**

As stated in WIOA Section 134(c)(3)(E), with respect to individualized career services and training services funded with WIOA Adult funds, priority of service must be provided to individuals who meet at least one of the priority population criteria.

Priority of service status is established at the time of eligibility determination and does not change during the period of participation. Priority of service does not apply to the Dislocated Worker population.

The ACWDB has established a method for ensuring that priority populations are given precedence in the provision of services under the WIOA Adult funding stream. The following procedure shall become effective beginning July 1, 2017.

### **Policy:**

The ACWDB has determined that priority populations will receive WIOA-funded services at a rate that exceeds participation of individuals who do not meet any of the priority population criteria.

At a minimum, 51% of individuals enrolled under the WIOA Adult funding stream will meet the priority population criteria as established through this action bulletin.

Conversely, a maximum of 49% of individuals enrolled under the WIOA Adult funding stream may be enrolled as exceptions to the priority population criteria.

All individuals who apply for services under the WIOA adult funding stream will be presented with a "Priority Population Questionnaire" to determine whether they qualify under at least one of the priority population criteria.

Applicants who apply for services under the WIOA Adult funding stream and who do NOT meet any of the priority population criteria, may only be enrolled by approval from the Workforce Services Support Team (WSST). Workforce Technicians assigned to your AJCCs are part of the WSST.

Each AJCC will be allotted a number of 49% Priority Populations Exceptions that will be calculated based on WIOA Adult contractual enrollment goals for the program year.

Workforce Technicians will monitor enrollment of all non-priority population participants and will deny enrollment requests once the 49% enrollment cap has been reached.

If an AJCC over enrolls (exceeds their annual, contractual enrollment goals under the WIOA Adult funding stream), then the 49% exception cap may be recalculated by request of the AJCC site-manager. Such requests must be submitted to the attention of the assigned Workforce Technician.

### **Documentation**

Priority population status must be verified through documentation at the time the individual submits his/her application for WIOA-funded services.

The ACWDB and sub-recipient(s) staff should use the following sources of documentation to verify whether an adult applicant qualifies for priority of service under WIOA.

Documentation of Priority Population Status	
Category	Examples of Documentation
Veterans	Military Identification DD-214 Other documentation from the U.S. Military
Eligible Spouses of Veterans	Military Identification <sup>1</sup> DD-214 <sup>1</sup> Other documentation from the U.S. Military <sup>1</sup> ( <sup>1</sup> With proof of legal marriage to the Vet on application date)
Cash Public Assistance Recipient	Screen Prints from the CalWIN System <sup>2</sup> Social Security Documentation ( <sup>2</sup> As provided by the Workforce Technicians)
Low Income	Wage Stubs/W2s Employer verification of wages State Unemployment or Disability documents Other documentation of regular payments in lieu of wages Shelter Letter/Proof of Homeless Status (Self-Attestation may be used in lieu of or in conjunction with any of these documentation examples. Seek assistance from your Workforce Technician to ensure documentation is acceptable.)
Basic Skills Deficient	School Transcripts/Other School Records Test Results (Self-Attestation may be used in lieu of or in conjunction with any of these documentation examples. Seek assistance from your Workforce Technician to ensure documentation is acceptable.)
Individuals with Disabilities	Current Letter from a Doctor or Counselor Official Partner Agency Letter
<b>Re-Entry Population</b>	<b>Letters or Court Documents</b> <b>That identify the applicant and verify involvement with the criminal justice system regardless of conviction status.</b>

**Procedure / Customer Flow:**

Under WIOA, Local Areas have the capability to modify their annual performance goals through a Statistical Adjustment Model (SAM). The SAM analyzes data relevant to the demographics of WIOA-enrolled participants and adjusts annual performance goals either up or down depending upon the number of participants served as compared to the number and severity of the barriers this population possesses.

It is the goal of the ACWDB to establish a procedure that enables AJCC intake workers to capture, report, and document as many priority population barriers per participant as is possible without creating hardship for our applicants and/or participants.

**Step 1 – AJCC Orientation:**

All AJCC customers/job seekers should receive an AJCC orientation that highlights services that are available to universal customers and introduces the customer to the CalJOBS system.

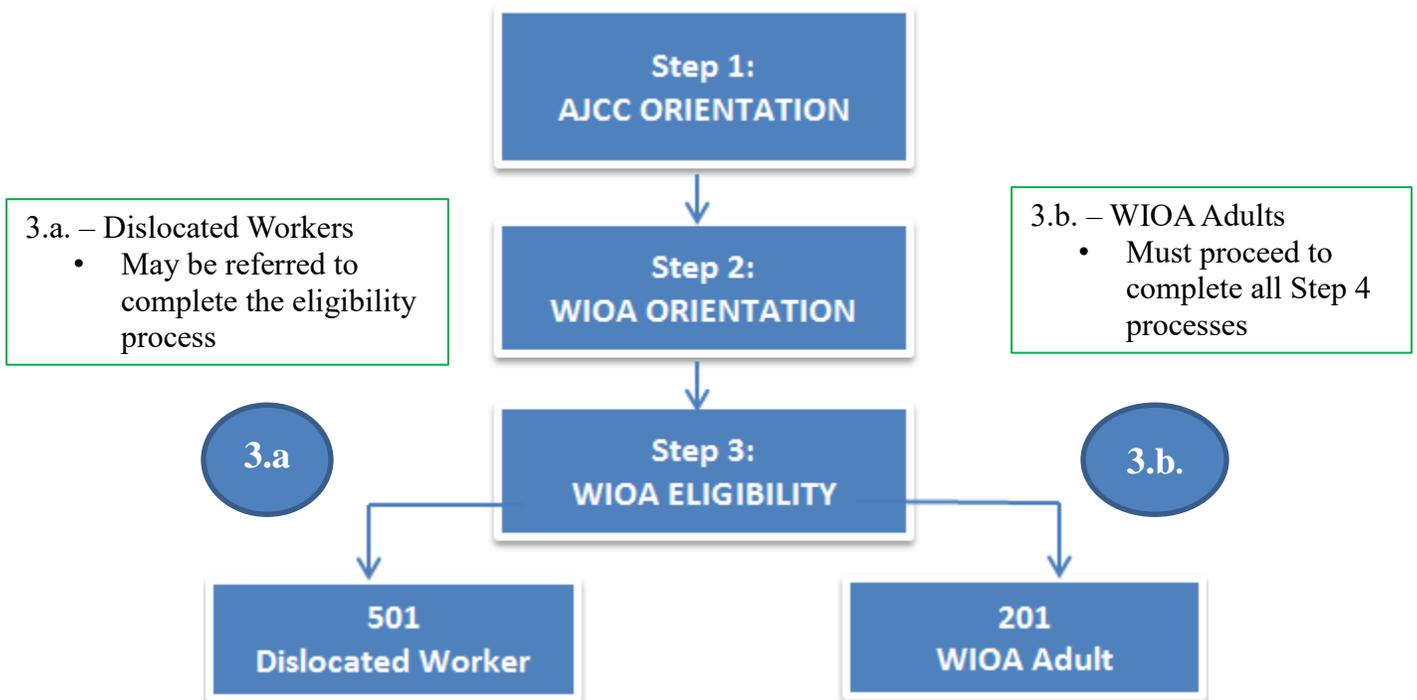
**Step 2 – WIOA Orientation:**

AJCC customers/job seekers who are interested in taking advantage of services offered through a WIOA registration should receive a WIOA orientation that highlights services offered through WIOA enrollment, WIOA eligibility requirements, and other relevant information about WIOA and partner services.

**Step 3 – WIOA Eligibility / Intake:**

Interested job seekers should be referred to intake where a determination should be made regarding whether an applicant would qualify as a Dislocated Workers (Step 3.a.) or WIOA Adult (Step 3.b.).

- Dislocated Workers may be referred to complete the eligibility process;
- WIOA Adults should be referred to Step 4 (below).



**Step 4. – WIOA Adult Eligibility:**

Job seekers who appear to qualify under the WIOA Adult (Grant 201) funding stream must be referred to begin the process of determination of WIOA Priority Population eligibility. This process begins with the completion of the Priority Population Questionnaire.

#### **Step 4.a. – Priority Population: Low-Income:**

Determine whether the applicant is a recipient of cash public assistance or is otherwise considered low-income (Above: “Definitions” Section 2.A., 2.B., or 2.C.).

- If “Yes”, the applicant may be referred to complete standard local eligibility determination;
- If “No”, the applicant should be referred to Step 4.b.

#### **Step 4.b. – Priority Population: Basic Skills Deficient:**

Determine whether the applicant meets the definition of Basic Skills Deficient (as defined above in the “Definitions” Section 3.A., 3.B., 3.C, or 3.D.).

- If “Yes”, the applicant may be referred to complete standard local eligibility determination;
- If “No”, the applicant should be referred to Step 4.c.

#### **Step 4.c. – Priority Population: Re-Entry Population:**

Determine whether the applicant meets the definition of Re-Entry Population (as defined above in the “Definitions” Section 5.A.I or 5.A.II.).

- If “Yes”, the applicant may be referred to complete the standard local eligibility determination;
- If “No”, the applicant should be referred to Step 4.d.

#### **Step 4.d. – Priority Population: All Other Priority Population Eligibility:**

Determine whether the applicant meets the standards for any of the other priority population categories:

- Veterans or Eligible Spouses of Veterans;
- Individuals with disabilities; or

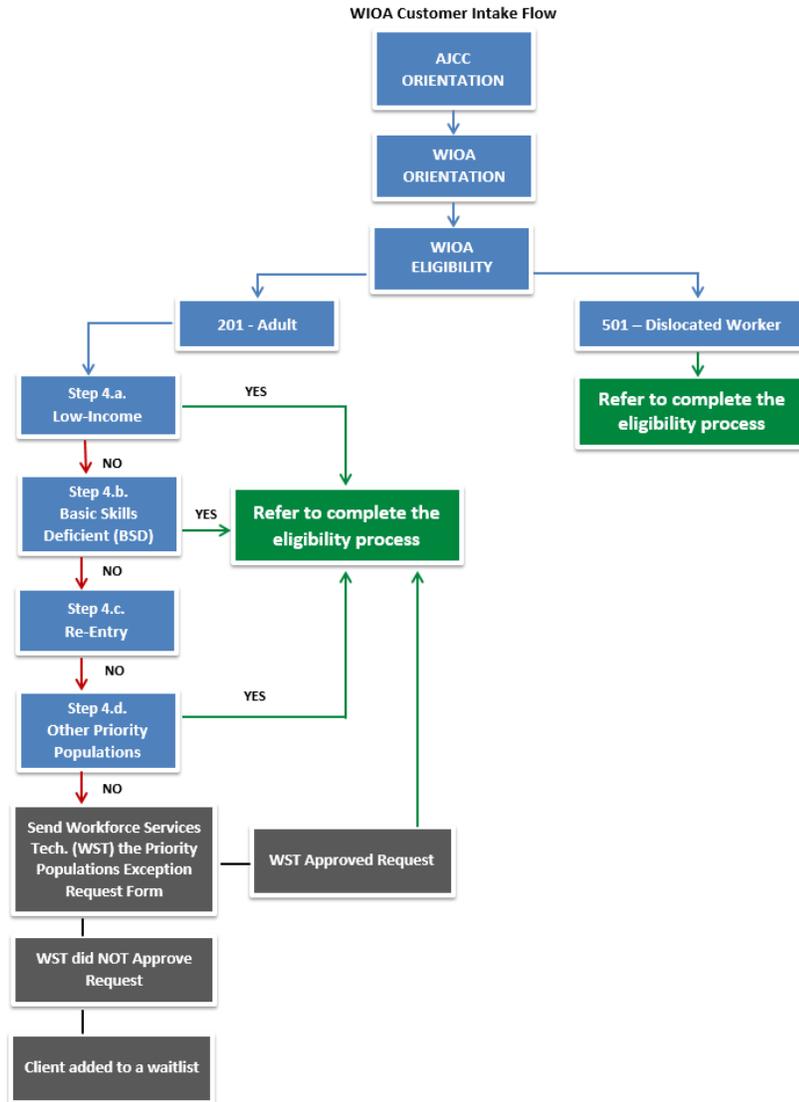
(as defined in the “Definitions” Section above).

- If “Yes”, the applicant may be referred to complete standard local eligibility determination after providing documentation to verify eligibility for Priority Population category;
- If “No”, complete the Priority Populations Exception Form and submit to the attention of the assigned technician or other staff in the Workforce Services Support Team (WSST). **Await written approval from the WSST prior to enrolling participants who do not qualify under any of the Priority Population categories.**

If an AJCC has reached the maximum number of non-priority population enrollments and the Workforce Technician declines the 49% priority population exception request, the AJCC must establish and maintain a waiting list.

AJCCs will be allowed to begin to pull individuals from their waiting list in the event there is a recalculation of the 49% allowance which will only be based on the AJCC exceeding their WIOA Adult contractual enrollment goals.

See Step-by-Step process outlined in the flow-chart on the next page.



**Action:**

The effective date of this bulletin is July 1, 2017. Please bring this Action Bulletin to the attention of all relevant staff/parties.

**Information and Inquiries:**

For further information and inquiries please contact:

Michele G. Garcia  
 MIS Administrator  
 24100 Amador Street, 6<sup>th</sup> Floor  
 Hayward, CA 94544-1203  
 Desk: (510) 259-3802  
 Email: [mggarcia@acgov.org](mailto:mggarcia@acgov.org)