



APPROVAL DATE: 3/23/10
APPROVED BY: Betty Baker, WIB Chair

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF SOCIAL SERVICES**

POLICY NO: 29-08
TO: Service Providers
EFFECTIVE: March 23, 2010
SUBJECT: Priority of Service for Veterans/Spouses of Certain Veterans

REFERENCES:

- California Workforce Services Directives WSD08-10
- Jobs for Veterans Act of 2002 (P.L. 107-288)
- TEGL 5-03, Implementing the Veterans' Priority Provisions of the "Jobs for Veterans Act" (September 16, 2003)
- 29 U.S.C. § 2801 : US Code - Section 2801: Definitions

PURPOSE:

The purpose of this Policy is to clarify the requirement and to outline the implementation of the Priority of Service for Veterans/Spouses of Certain Veterans for the Adult, Dislocated Worker and Youth WIA programs.

BACKGROUND:

On November 7, 2002, former President Bush signed the Jobs for Veterans Act (JVA) to revise and improve employment, training, and placement services furnished to veterans. JVA Section 2(a) amended 38 U.S.C. 4215(a) by mandating priority of service for veterans (and eligible spouses) "who otherwise meet the eligibility requirements for participation" in DOL programs.

DEFINITIONS:

Veteran.

- a. The term "veteran" means 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.
 - National Guard and Reserve – weekend and summer training does **not** qualify
 - National guard – mobilization by a governor for state service (e.g., for a natural disaster) does **not** qualify.

Eligible Spouse of Qualifying Veteran

- a. Eligibility Derived from living veteran:
 - i. Service member is missing in action, captured or forcibly detained
 - ii. Veteran has total service-connected disability, per VA evaluation
- b. Eligibility Derived from deceased veteran
 - i. Veteran died of a service-connected disability
 - ii. Veteran died while a total service-connected disability, per VA evaluation, was in existence

POLICY:

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. The following criteria developed by (TEGL) NO. 5-03 will be applied for the Adult, Youth and Dislocated Worker programs:

- Eligibility for the WIA Adult, 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 as local areas are not 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.

ACTION:

Veterans, spouses of certain veterans, and non-veterans all have equal access to be determined appropriate for, in need of, and enrolled into the WIA Adult, Youth or Dislocated Worker programs as part of an overall service design to meet contractual and performance outcomes.

However, when both a veteran/spouse of certain veteran and a non-veteran:

- 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,
- 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 almost met, THEN: The Veteran or Spouse of Veteran will be given priority over the non-veteran.

Box numbers 65 through 70 on the WIA Application Form or their equivalent in the VOS Case Management Veterans Information section will be used to capture information regarding Veteran/Spouse of Certain Veteran status. Acceptable documentation (see policy 27-08) will be required to verify veteran/covered person status when submitting a complete file for eligibility determination.

Covered persons must be informed of the employment-related rights and benefits to which they are entitled, including use of the following language:

“This program is subject to the provisions of the “Jobs for Veterans Act, ”Public Law 107-288, which provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the Department of Labor. Please note that, to obtain priority service, a veteran must meet the program’s eligibility requirements.”

The Administrative Entity for the WIB and its Service Providers shall follow this policy.

INQUIRIES:

Inquiries should be addressed to WIB Admin at wibadmin@co.slo.ca.us.

REVISION HISTORY:

DATE	DETAILS
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