



POLICY REFRESHER

Meeting WIOA Service Priorities and Workforce Needs in your Community

WIOA STATUTORY PRIORITY FOR ADULT FUNDS

WIOA sec. 134(c)(3)(E) requires that American Job Center (AJC) staff, when using WIOA Adult program funds to provide individualized career services and training services, must give priority of service to:

- recipients of public assistance,
- low-income individuals (see WIOA sec. 3(36)), and
- individuals who are basic skills deficient (including English language learners) (see WIOA sec. 3(5)).

NOTE: Individuals who are English language learners meet the criteria for “basic skills deficient” and must be included in the priority populations for the Title I Adult program. See *TEGL 19-16 for the definition.*

POLICY INTRODUCTION

The Training and Employment Guidance Letter (TEGL) No. 19-16 offers guidance on services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules.

The TEGL No. 07-20 offers guidance on effectively implementing priority of service provisions for most in need individuals in the WIOA Adult program.

The New Jersey Workforce Innovation Notice (NJWIN) No. 19-6.1 outlines the baseline criteria to determine eligibility for WIOA career services.

References: - TEGL 19-16 - NJWIN 19-6.1- TEGL 07-20



WIOA PRIORITY POPULATIONS

Serving individuals with barriers to employment is an underlying focus across all Title I WIOA programs. According to 29 U.S.C. §3101, the purpose of this act is to increase, for individuals in the United States, particularly those individuals with barriers to employment, access to and opportunities for employment, education, training, and support services they need to succeed in the labor market.

THERE ARE 14 GROUPS THAT ARE CONSIDERED TO BE INDIVIDUALS WITH BARRIERS TO EMPLOYMENT (DEFINED IN WIOA SEC. 3(24)):

- Displaced homemakers (as defined in WIOA sec. 3(16));
- Low-income individuals (as defined in WIOA sec. 3(36));
- Indians, Alaska Natives, and Native Hawaiians (as defined in WIOA sec. 166(b));
- Individuals with disabilities, including youth who are individuals with disabilities (as defined in WIOA sec. 3(25) (includes individuals who are in receipt of Social Security Disability Insurance));
- Older individuals (age 55 and older) (as defined in WIOA sec. 3(39));
- Ex-offenders (“offender” as defined in WIOA sec. 3(38));
- Homeless individuals or homeless children and youths (see Attachment III)
- Youth who are in or have aged out of the foster care system;
- Individuals who are:
 - ▶ English language learners (WIOA sec. 203(7)),
 - ▶ Individuals who have low levels of literacy (an individual is unable to compute or solve programs, or read, write, or speak English at a level necessary to function on the job, or in the individual’s family, or in society); and
- ▶ Individuals facing substantial cultural barriers;
- Eligible migrant and seasonal farmworkers (as defined in WIOA sec. 167(i)(1-3));
- Individuals within two years of exhausting lifetime TANF eligibility;
- Single parents (including single pregnant women);
- Long-term unemployed individuals (unemployed for 27 or more consecutive weeks); and
- Such other groups as the Governor involved determines to have barriers to employment

These priorities are in addition to the requirements that veterans and their eligible spouses receive priority of service for all DOL-funded job training programs (see TEGL 10-09). On page 10 of TEGL19-16 it outlines the order of service delivery for Veterans, who also meet statutory priority for Adult funds.

PRACTICE

WIOA mandates both state and county staff to prioritize service to these populations at all times regardless of the number of funds available to provide services in the local area (see 20 CFR 680.600 and TEGL 19-16). ETA envisions priority of service for these individuals as ensuring that at least 75 percent of a state’s participants receiving individualized career and training services in the Adult program are from at least one of the priority groups mentioned above, and expects this rate will be no lower than 50.1 percent in any state (see TEGL 07-20). See examples on how to effectively integrate service delivery to support priority populations on page 5 of TEGL 07-20.

NOTE: TEGL 19-16 further clarifies that priority established does not limit eligibility to WIOA-eligible participants outside of priority. Instead it provides additional guidance regarding serving all WIOA-eligible participants.



NJ.GOV/LABOR