

**OFFICE OF WORKFORCE OPPORTUNITY**  
**WIOA POLICY ISSUANCE – Policy # 2021-P-005 (Original Policy# 2015-002)**  
**REVISED: November 19, 2021 and January 24, 2022**

**ADULT PRIORITY OF SERVICE POLICY**

**PURPOSE:** To transmit the Office of Workforce Opportunity’s (OWO) policies and procedures regarding Adult Priority of Service for the Adult Title I funded program.

**POLICY:** This policy discusses priority of service requirements for Workforce Innovation and Opportunity Act (WIOA) Title I Adults for Career and Training Services. Priority applies for low-income individuals, participants on public assistance, and individuals who are basic skills deficient. Priority must also be given to Veterans and Eligible Spouses for access to all federally funded training programs. *See the Veterans and Eligible Spouses Priority of Service Policy 2021-P-004 for additional details.*

WIOA increases access to and opportunities for employment, education, training, and support services that individuals need, “*particularly those with barriers to employment.*” To ensure access, [WIOA Title I Section 134\(c\)\(3\)\(E\)](#) requires that priority of service be given to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient, for receipt of career and training services. Priority for service applies regardless of federal funding levels.

The order for priority service is as follows:

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| 1. <i>Low Income, Public Assistance, or Basic Skills Deficient</i> <b>AND</b> Veteran and Eligible Spouse including Widows and Widowers   |
| 2. <i>Low Income, Public Assistance, or Basic Skills Deficient</i>  |
| 3. Veterans and Eligible Spouses who are <b>NOT</b> included in the priority group (1 above)  |
| 4. Additional priorities established by the Governor or Workforce Development Board: <ul style="list-style-type: none"><li>• Displaced Homemaker</li><li>• Indians, Alaska Natives, Native Hawaiians</li><li>• Older individuals</li><li>• Individuals with disabilities</li><li>• Ex-Offenders</li><li>• Youth who have aged out of the foster care system</li><li>• Eligible migrant and seasonal farmworkers</li><li>• Single parents</li><li>• Long-term unemployed individuals</li><li>• Individuals who have been directly or indirectly impacted by substance use disorder</li></ul> |

- Individuals who have none or very limited post-secondary training

5. All other individuals ages 18 and older.

- 1) The term “low income individual,” defined in [WIOA Section 3\(36\)](#), means an individual who:
  - a) Receives, or in the past 6 months has received or is a member of a family that is receiving or has received in the past six months, assistance through the Supplemental Nutrition Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI) under Title XVI of the Social Security Act, or a state or local income-based public assistance program; or
  - b) Is in a family with total family income that does not exceed the higher of:
    - I. The poverty line or
    - II. 70% of the lower living standard income level; or
  - c) Is a homeless individual; or
  - d) Is an individual with a disability whose own income meets the income requirements above, but is a member of family whose income does not meet the income requirement.
- 2) The term “basic skills deficient” is defined in [WIOA Section 3\(5\)](#) to mean a youth or adult who 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.

The definition of Basic Skills Deficient is further defined by the State as an individual who meets any one of the following criteria:

  - a) Lacks a high school diploma or equivalency and is not enrolled in secondary education; or
  - b) Scores 8.9 or below on an approved assessment test; or
  - c) Is enrolled in Title II Adult Education (including enrolled for ESL); or
  - d) Has poor English language skills (and would be appropriate for ESL even if the individual isn’t enrolled at the time of WIOA entry in an ESL program); or
  - e) The WIOA case manager makes observations of deficient functioning and records those observations as justification in a case note.
- 3) Priority of services does not apply to WIOA Dislocated Worker program and/or participants served as incumbent workers, with the exception of veteran’s priority for service as described in the *WIOA Policy# 2021-P-004: Priority of Service for Veterans and Eligible Spouses*.
- 4) WIOA service providers must put processes into place to ensure that priority populations including veteran and eligible spouses, are identified at the point of entry and given an opportunity to take full advantage of priority of service. The point of entry includes physical locations such as NH Works Centers, as well as websites such as NHES Job Match System (JMS), and other virtual service delivery resources. These processes should ensure that priority groups are aware of their entitlement to priority of service, the full array of employment, training, and placement services available under priority of service, any applicable eligibility requirements for those programs and services, and in cases of online points of entry, how to access assistance via the nearest NH Works Office.
- 5) WIOA “Priority of service” status is established at the time of eligibility determination. It does not change during the period of participation.
- 6) WIOA Service providers must ensure proper identification and documentation of priority status in the WIOA JMS case management system.

- 7) [Training and Employment Guidance Letter \(TEGL\) No. 7-20](#) clarifies that recipients of public assistance, individuals who are basic skills deficient or those identified as low income are the three priority groups that WIOA specifically mandates are entitled to priority of service (including veterans and eligible spouses) under the WIOA Adult program. It also says that a state should ensure that at least 75% of a state's participants receiving individualized career and training services in the adult program are from at least one of these three priority groups and expects the rate to be no lower than 50.1%. Therefore, New Hampshire WIOA Adult Service providers must put processes in place to ensure that no more than 25% of all Adults enrolled annually are served under the Additional Priority of Services category (3, 4, 5 from chart above).

**ACTION:**

All staff must be knowledgeable of the contents of this directive.