



WorkSource System Policies

Priority of Services for Veterans and Eligible Spouses

POLICY: *Priority of Services for Veterans and Eligible Spouses*

EFFECTIVE: *November 17, 2023*

SUPERSEDES: *N/A*

PURPOSE:

This policy provides guidance for ensuring veterans and eligible spouses receive priority of service entitlements assured under Department of Labor federally funded programs offered through the WorkSource Pierce One-Stop delivery system.

BACKGROUND:

On December 19, 2008, the Department of Labor (DOL) issued regulations at [20 CFR 1010](#) implementing the Jobs for Veterans Act of 2002 and the Veterans' Benefits, Health Care, and Information Technology Act of 2006. The regulations went into effect on January 19, 2009, and do the following:

1. Set forth requirements for each "qualified program" to provide priority of service for veterans and eligible spouses ¹ and require all grantees to have policies providing priority of service whether provided on-line or in-person. A "qualified program" is defined as any program or service for workforce preparation, development, or delivery that is directly funded, in whole or in part, by the Department of Labor. This includes WIOA Title I Adult and Dislocated Worker programs; National Dislocated Worker Grants; WIOA Title III Wagner-Peyser Employment Service; Trade Adjustment Assistance; and Senior Community Service Employment Program.

¹ **Eligible Spouse** as defined in section 2(a) of JVA (38 U.S.C. 4215(a)) means the spouse of any of the following:

- (1) Any veteran who died of a service-connected disability.
- (2) Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days: (i) Missing in action; (ii) captured in line of duty by a hostile force; or (iii) forcibly detained or interned in line of duty by a foreign government or power.
- (3) Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs.
- (4) Any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.

2. Require that, for purposes of implementing priority of service, the following broad definition of “veteran” is utilized: a person who served at least one day in the active military, naval, air service, or National Guard or Reserve, and who was discharged or released under conditions other than dishonorable be used, and
3. Add the following requirements for program staff when individuals access services either in-person or through virtual means:
 - Applicants to any qualified DOL programs and services must be able to learn about priority of service and to indicate whether they are veterans or eligible spouses,
 - Program staff must initiate data collection for any person claiming priority at point of entry, and
 - Applicants who are veterans or eligible spouses must be given a menu of programs and services to which the priority applies, and any additional program eligibility requirements.

Priority of service entitles veterans or eligible spouses to precedence over eligible non-covered persons in accessing services. The veteran or spouse is given enrollment or services earlier in time than others who are waiting for the same assistance. If program and service resources are limited, then the veteran or spouse is given access instead of others. Individuals already enrolled through qualified DOL-funded programs shall not be terminated for the purpose of providing priority of service to veterans and eligible spouses.

Federal statute for priority of service for veterans and eligible spouses takes precedence over any other state or local priorities of DOL-funded qualified programs.

POLICY:

WorkSource Pierce One-Stop System partners must implement processes for the qualified programs they administer to identify veterans and eligible spouses who physically or virtually access services at the point of entry so they can learn about and take full advantage of veterans priority and to indicate whether they are entitled to priority of service.

Point of entry is defined as the point of contact with the WorkSource Pierce One-Stop System, either in-person or virtually, and regardless if a service is provided at that time. It may include accessing services at the reception counter of the WorkSource Pierce One-Stop Center, an affiliate one-stop center, a connection site, or through a program-specific application process, or any other method by which veterans and eligible spouses express an interest in receiving service. It cannot be limited to initial program enrollment as not all veterans and eligible spouses who touch the one-stop system reach that point.



Applicants claiming priority must be presented with a menu of programs and services to which the entitlement applies, and the eligibility requirements for those programs. Veterans and eligible spouses must first meet applicable program eligibility requirements and then receive priority of service over non-veterans who also meet the program eligibility requirements.

All qualified programs must collect, retain, and report priority of service data in accordance with the federal regulations and DOL program guidance. Qualified programs do not have to verify veteran or eligible spouse status at the point of entry unless they immediately undergo eligibility determination and enrollment into the program.

REFERENCES:

- Jobs for Veterans Act, Public Law (P.L.) 107-288
- Veterans' Benefits, Health Care, and Information Technology Act (P.L.109-461)
- Priority of Service for Covered Persons (20 CFR 1010)
- Training and Employment Guidance Letter (TEGL) 10-09
- Veterans Program Letter (VPL) 07-09
- ESD Policy 1009 Rev. 3 – Priority of Services for Veterans and Eligible Spouses

APPROVED


Katie Condit (Nov 17, 2023 09:10 PST)

Katie Condit, WorkForce Central CEO

11/17/2023

Date

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