



# Northern Middle Tennessee Workforce Board Inc.

## Workforce Innovation and Opportunity Act Policy Letter

### **Subject: WIOA Title I Adult Eligibility and Priority of Service Policy**

#### **Purpose**

This policy provides guidance for One-Stop Operators (OSO) and Career Service Providers (CSP) on WIOA Title I Adult program eligibility and the implementation of priority of service for Individualized Career Services and Training Services.

#### **References**

WIOA Section 3(24), WIOA Section 134(d)(4)(E), 20 CFR 680.600, 20 CFR 680.640, TEGL 19-16, Workforce Services Guidance – Adult Priority of Services, Workforce Services Guidance – Persons Defined as Low-income Individuals, Workforce Services Policy – Veterans and Eligible Spouse Priority of Service TN-WIOA (17-5)

#### **Background**

WIOA focuses on serving “individuals with barriers to employment”, as defined in WIOA Section 3(24), and seeks to ensure access to quality services for these populations. The WIOA Final Rule discusses priority and special populations for the Adult program at 20 CFR 680.600. TEGL 19-16 specifies that priority should also be applied to individuals that are both underemployed and low-income.

#### **I. Adult Program Eligibility Requirements**

Individuals must meet the following eligibility criteria for the adult program.

- Age 18 or older;
- Meets Selective Service registration requirements;
- U.S. citizen or otherwise legally entitled to work in the U.S.;
- If employed, income does not exceed the local self-sufficiency guidelines

#### **II. Employed Adult Local Self-Sufficiency Guidelines**

For employed individuals applying for the Adult program, NMTLWDB requires a household income at or below 200% of the LLSIL, based on family size, unless the individual receives or is a member of a family that receives cash payments under a federal or state income-based public assistance program.

For an individual with a disability, income eligibility is based on the individual’s income only, not their household income.

### **III. Priority Populations under WIOA**

Across all titles, WIOA focuses on serving “individuals with barriers to employment”, defined in WIOA section 3(24) and seeks to ensure access to quality services for these populations. The WIOA Final Rules discuss priority and special populations for the Adult program at 20 CFR 680.600.

Priority populations included in WIOA section 3(24) are:

- a) Displaced homemakers;
- b) Low-income individuals;
- c) Indians, Alaska Natives, and Native Hawaiians;
- d) Individuals with disabilities;
- e) Older individuals (age 55 and older);
- f) Ex-offenders;
- g) Homeless individuals;
- h) Youth who are in or have aged out of the foster care system;
- i) Individuals who are:
  - 1) English language learners,
  - 2) Individuals who have low levels of literacy; and
  - 3) Individuals facing substantial cultural barriers;
- j) Eligible migrant and seasonal farmworkers;
- k) Individuals within two years of exhausting lifetime TANF eligibility;
- l) Single parents (including single pregnant women)'
- m) Long-term unemployed individuals (unemployed for 27 or more consecutive weeks)

### **IV. Statutory Priority for Adult Funds**

WIOA section 134(c)(3)(E) establishes a priority requirement with respect to funds for adult employment and training activities. Priority of service status is established at the time of eligibility determination and does not change during the period of participation. When providing individualized career and training services in the WIOA Adult program, priority must be given to:

- Recipients of public assistance
- Other low-income individuals
- Individuals who are basic skills deficient.

Individuals that meet the definition of underemployed must also meet the definition of a low-income individual in order to be eligible for the adult priority.

### **V. Veterans' Priority of Service and Adult Priority**

Veterans and eligible spouses continue to receive priority of service for all WIOA programs. However, as described in TEGL 10-09, when programs are statutorily required to provide priority for a particular group of individuals, such as the WIOA priority for Adult funds described above, priority must be provided in the order described below. A veteran must meet the adult program eligibility criteria to receive services.

Priority must be applied in the following order:

1. Veterans and eligible spouses who meet Title I Adult program eligibility and the statutory priority of public assistance recipients, other low-income individuals including the underemployed, or those who are basic skills deficient must receive first priority for services with WIOA Adult funds for individualized career services and training services.
2. Other individuals (not veterans or eligible spouses) who meet Title I Adult program eligibility and the statutory priority of public assistance recipients, other low-income individuals including the underemployed, or those who are basic skills deficient receive second priority for services;
3. All other veterans and eligible spouses who meet Title I Adult program eligibility but do not meet the statutory priority of public assistance recipients, other low-income individuals including the underemployed, or those who are basic skills deficient then receive third priority for services;
4. Other individuals (not veterans or eligible spouses) who do not meet the statutory priority of public assistance recipients, other low-income individuals including the underemployed, or those who are basic skills deficient, but meets Title I Adult program eligibility and is an individual with a barrier to employment then receive fourth priority for services.

### **Grandfather Clause**

Customers who enrolled in the program prior to the execution of this policy or modification date shall not be affected by its terms and conditions.

### **Contact**

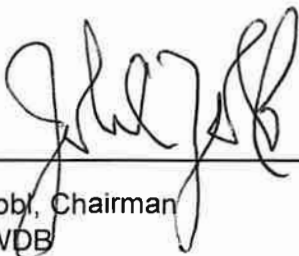
For questions regarding this policy, contact Renee Hollis, Director of Policy & Performance, at [rhollis@workforceessentials.com](mailto:rhollis@workforceessentials.com) or (931) 905-3506.

### **Effective Date**

Effective October 1, 2018 and will remain in effect until amended, modified, or set aside by the Northern Middle Tennessee Local Workforce Development Board.

Modification date: February 21, 2019

November 13, 2019



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John Zobl, Chairman  
NMTLWDB