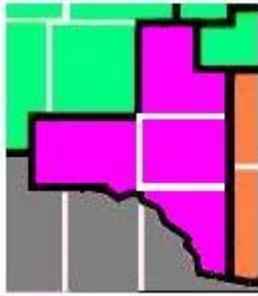


# Priority Guidelines

for Delivery of Services  
to Job-Seeking Customers  
of the Workforce Oklahoma System



Procedures for Implementing the COWIB Policy  
on Priority of Service for Participants in the WIA Adult Program  
including Requirements of the Jobs for Veterans Act



In Central Oklahoma



Revised: November 9, 2009

# Priority Guidelines

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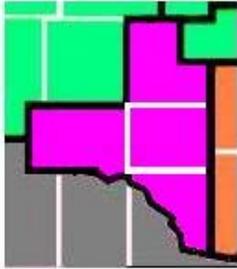
## Attachments

- A. OETI #15-2009
- B. Excerpts from OETI #06-2006, Change 1
- C. Guidance on Determining Family Size and Income

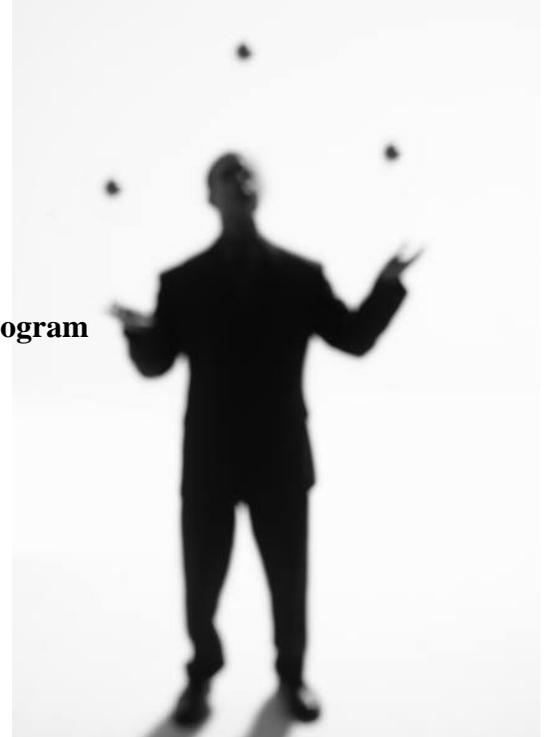
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## In Central Oklahoma



**Foreword.** These guidelines are designed to be used by Service Providers in the newly-expanded Central Oklahoma workforce investment area. The guidelines describe the proper procedures for implementing the *COWIB Policy on Priority of Service for Participants in the WIA Adult Program* (Revised August 20, 2008).

Additionally, reference is made to the *COWIB Policy on Priority of Service for Veterans and Eligible Spouses* (Revised March 18, 2009).

Providing quality public services in an age of limited resources can be a challenge – even for the most well-prepared organizations. At any time, but especially when program funding is insufficient to meet the rising demands of job-seekers and businesses, it is difficult to serve the needs of all WIA Adult program customers in a timely and effective fashion.

For those of us in the business of delivering workforce development services, national policy guidance helps to inform our service delivery choices. Two federal laws – the Workforce Investment Act and the Jobs For Veterans Act – help to establish priority groups so that WIA Adult program resources may be focused where they will do the most good. These guidelines describe how the workforce development system in Central Oklahoma will delivery quality services in a manner that fully supports our national priorities.

The COWIB envisions that these guidelines will provide a solid foundation to support the delivery of services to participants in the WIA Adult program. At the same time, however, there is room for a certain degree of flexibility with regard to specific forms and procedures for identifying and documenting individual customers within a customer group.

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Consequently, limited exceptions to these Priority Guidelines may be granted to Service Providers who request a variance from specific forms and procedures that are described within these pages. When a variance is granted, it will be documented by a written statement (email, etc.) from the COWIB’s Program Operations Manager or CEO.

*Note: The COWIB has no authority to grant exceptions to federal laws, federal regulations, or state policies (when properly promulgated). However, Service Providers may request to use modified forms of: (a) The Low Income / Public Assistance Verification Sheet; (b) The Priority Group Determination Worksheet; and (c) Other forms and procedures where local flexibility is permitted.*

**Background.** The Jobs for Veterans Act<sup>1</sup> creates a priority of service for veterans (and some spouses) who meet the eligibility requirements for participation in DOL-funded training programs.

Additionally, Section 134(d)(4)(E) of the Workforce Investment Act states:

*“(E) Priority. -- In the event that funds allocated to a local area for adult employment and training activities... are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive services and training services. The appropriate local board and the Governor shall direct the one-stop operators in the local area with regard to making determinations related to such priority.”*

It is the COWIB’s position that, in normal circumstances, WIA Adult funds are generally sufficient to serve the needs of the area.

The COWIB recognizes, however, that – from time to time – the capacity of our workforce development system may be challenged by funding cuts, an unexpected increase in the demand for services, and/or other circumstances that may not have been reasonably foreseen in our Two-Year Plan.

Therefore, in order to respond to unusual stresses and strains on our local workforce development system, the COWIB allows the establishment of necessary and reasonable procedures to ration or limit the delivery of Intensive Services and Training Services.

**Purpose.** The procedures described in these Priority Guidelines are designed for the dual purpose of:

- (1) Complying with the priority requirements of the Jobs for Veterans Act; and
- (2) Prioritizing the delivery of services in the event there is a determination that WIA Title I Adult funds are limited.

**Definitions.** The following definitions are derived from the federal law (Workforce Investment Act and Jobs for Veterans Act) and relevant regulations.

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<sup>1</sup> Public Law 107-288 codified at 38 U.S.C. Section 4215.

**Covered Person.** With respect to priority of service for veterans, the term “covered person” means any of the following individuals:

- (A) A veteran.
- (B) The spouse of any of the following individuals:
  - (i) Any veteran who died of a service-connected disability.
  - (ii) Any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned 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.
  - (iii) Any veteran who has a total disability resulting from a service-connected disability.
  - (iv) Any veteran who died while a disability so evaluated was in existence.



*(Reference: Section 2(a)(1) of the Jobs for Veterans Act)*

**Low-Income Individual.** The term “low-income individual” means an individual who--

- (A) Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- (B) Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of--
  - (i) the poverty line, for an equivalent period; or
  - (ii) 70 percent of the lower living standard income level, for an equivalent period;
- (C) Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- (D) Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302);

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(E) Is a foster child on behalf of whom State or local government payments are made;  
or

(F) In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or of subparagraph (B), but who is a member of a family whose income does not meet such requirements.

*(Reference: Section (101)(25) of the federal Workforce Investment Act)*

**Public Assistance.** The term “public assistance” means Federal, State, or local government cash payments for which eligibility is determined by a needs or income test.

*(Reference: Section (101)(37) of the federal Workforce Investment Act)*

**Veteran.** With respect to priority of service for veterans, the term “veteran” is defined as “a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable.”

*(Reference: [38 U.S.C. 101\(2\)](#), Jobs for Veterans Act)*

## **1. Priority of Service Guidelines for Core Services.**

**Background.** The local workforce investment system in Central Oklahoma provides a wide range of Core Services. The core services identified in section 134(d)(2) of the WIA are:

- (1) Determinations of whether the individuals are eligible to receive assistance under subtitle B of title I of WIA;
- (2) Outreach, intake (which may include worker profiling), and orientation to the information and other services available through the One-Stop delivery system;
- (3) Initial assessment of skill levels, aptitudes, abilities, and supportive service needs;
- (4) Job search and placement assistance, and where appropriate, career counseling;
- (5) Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including--
  - (i) Job vacancy listings in such labor market areas;
  - (ii) Information on job skills necessary to obtain the listed jobs; and
  - (iii) Information relating to local occupations in demand and the earnings and skill requirements for such occupations;
- (6) Provision of program performance information and program cost information on:
  - (i) Eligible providers of training services described in WIA section 122;
  - (ii) Eligible providers of youth activities described in WIA section 123;
  - (iii) Providers of adult education described in title II;
  - (iv) Providers of postsecondary vocational education activities and vocational education activities available to school dropouts under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.); and
  - (v) Providers of vocational rehabilitation program activities described in title I of the Rehabilitation Act of 1973 (29 U.S.C. 720 et seq.);
- (7) Provision of information on how the local area is performing on the local performance measures and any additional performance information with respect to the One-Stop delivery system in the local area;

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- (8) Provision of accurate information relating to the availability of supportive services, including, at a minimum, child care and transportation, available in the local area, and referral to such services, as appropriate;
- (9) Provision of information regarding filing claims for unemployment compensation;
- (10) Assistance in establishing eligibility for--
  - (i) Welfare-to-work activities...; and
  - (ii) Programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area; and
- (11) Followup services, including counseling regarding the workplace, for participants in workforce investment activities authorized under subtitle (B) of title I of WIA who are placed in unsubsidized employment, for not less than 12 months after the first day of the employment, as appropriate.

When delivering Core Services, our local workforce system<sup>2</sup> shall take positive steps to assure that covered persons, as defined in the Jobs for Veterans Act, will receive priority service over non-covered persons.

**A. “Point of Entry.”** In a **Final Rule**<sup>3</sup>, the U.S. Department of Labor (DOL) recognizes the important role that local workforce systems play in ensuring that covered persons receive priority services. The Department describes how States and local workforce investment boards are required to address priority of service in their strategic plans. The **Final Rule** includes this statement:

**“...Policies must require that processes are in place to ensure that covered persons are identified at the *point of entry* and given an opportunity to take full advantage of priority of service.”**

(Emphasis added)

DOL has identified “point of entry” as the point at which customers first come into contact with DOL-funded employment and training programs. As described in the Department of Labor’s **Final Rule**:



**“Point of entry may include reception through a One-Stop Career Center established pursuant to the Workforce Investment Act of 1998, as part of an application process for a specific program, or through any other method by which covered persons express an interest in receiving services, either in-person or virtually.”**

**B. Identification of Covered Persons at the Point of Entry.** In Central Oklahoma, our local workforce system will identify covered persons at the point of entry to our programs and

<sup>2</sup> The local workforce investment system is considered to be our Workforce Oklahoma offices and other WIA service providers such as TEEM.

<sup>3</sup> Published in the Federal Register on Friday, December 19, 2008, beginning at Page 78132.

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services. This identification process will be implemented each time a customer accesses our system – whether the contact is made by telephone, email, internet, or in person.

Procedure for Identifying Covered Persons. Before any other service or screening process is implemented, the Career Guide (or receptionist or other staff person working in the Welcome Unit) should ask the customer:

***“Are you a veteran or the spouse or widow(er) of a veteran?”***

If the customer replies positively, then follow-up questions must be asked to confirm that the individual meets the definition of “covered person” as given in the Jobs for Veterans Act.

*Follow-Up for “Veteran.”* If the customer is a veteran, the Career Guide must confirm that the individual served in the active military, naval, or air service, and was discharged or released under conditions other than dishonorable.

Background information: There are several types of discharge or release categories that apply to former military service members, including—

- Honorable;
- General;
- Other Than Honorable;
- Bad Conduct;
- Dishonorable<sup>4</sup>;
- Entry Level Separation.

In most cases, it is not necessary to determine the exact type of discharge the veteran received. If the customer confirms that s/he received any type of discharge or administrative separation other than a “Dishonorable” discharge, then s/he may be considered a “Veteran” for the purpose of these procedures.

*Follow-Up for “Spouse” of a Veteran.* If the customer is the spouse or widow(er) of a veteran, the Career Guide must confirm that the individual:

- (i) Was the spouse of any veteran who died of a service-connected disability.
- (ii) Is the spouse of any member of the Armed Forces serving on active duty who, at the time of application for assistance under this section, is listed, pursuant to section 556 of title 37 and regulations issued thereunder, by the Secretary concerned in one or more of the following categories and has been so listed for

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<sup>4</sup> “A Dishonorable Discharge... is a punitive discharge rather than an administrative discharge. It can only be handed down to an enlisted member by a General Court-Martial. Dishonorable discharges are handed down for what the military considers the most dishonorable of conduct. This type of discharge may be rendered only by conviction at a general court-martial for serious offenses (e.g. desertion, sexual assault, or murder etc) which call for dishonorable discharge as part of the sentence.”

(Source: [http://en.wikipedia.org/wiki/Dishonorable\\_discharge#Dishonorable](http://en.wikipedia.org/wiki/Dishonorable_discharge#Dishonorable))

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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.

- (iii) Is married to any veteran who has a total disability resulting from a service-connected disability.
- (iv) Is the surviving spouse of any veteran who died while a disability so evaluated was in existence.

Clearly, not every person who is married to a veteran can be considered a “covered” spouse for the purpose of these procedures. So, the Career Guide must carefully ask the customer if s/he falls within any of the categories listed above.

If the customer confirms that s/he matches any of these four criteria, then the customer may be considered a “covered person” for the purpose of this procedure.

**C. Explaining Priority of Service.** If the customer identifies him/herself as a “covered person,” then the Career Guide (or receptionist or other staff member of the Welcome Unit) must promptly advise the individual that they are considered to be a **Jobs For Veterans** priority customer of the Workforce Oklahoma system.

A brief explanation of the meaning of “Jobs For Veterans priority customer” should be offered. The explanation should include the following points of information:

- (1) The customer is entitled to priority treatment over non-covered customers in the delivery of Core Services;
- (2) This explanation is being offered to the customer so that they may take the fullest advantage of their status as a priority customer;
- (3) Core Services include—
  - Intake and orientation to the services that are offered by our system;
  - Determination of eligibility to receive services;
  - Initial assessment of skill levels, aptitudes, abilities, and supportive service needs;
  - Job search and placement assistance;
  - Etc.;
- (4) There are additional eligibility requirements that must be met in order to access the full array of services offered by our system.

**D. Delivering Core Services to Priority Customers.** After a **Jobs For Veterans** Priority Customer has been identified at the point of entry, the Career Guide (or receptionist or other staff member of the Welcome Unit) may proceed to offer the normal services that are usually available to Workforce Oklahoma customers.

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**Jobs For Veterans** Priority Customers do not receive different services than non-covered customers. However, they are eligible to receive priority treatment in the manner that the services or resources are delivered.

In practical terms, “priority treatment” means:

- (1) The covered person will receive access to the service or resource *earlier in time* than non-covered persons; or
- (2) If the service or resource is limited, covered persons will receive access to the service or resource *instead of or before* any non-covered customers.

For example—

- In the Welcome Unit, if two customers arrive in the reception area at the same time, the covered person should be given priority attention over a non-covered individual.
- If there is not a sufficient number of Career Guides to give immediate attention to all customers who wish to register for services, the Priority Customer(s) should be served first – before other customers who have been waiting just as long.
- If there are a limited number of computers in the Resource Room, a Priority Customer should be given preference over a non-covered customer who has been waiting the same length of time.
- If any services are being offered in the form of a group session, Priority Customers must be given the opportunity to access the session before it is opened up to non-covered customers. For example, if a sign-up system is used to reserve a spot for customers in a financial aid workshop, Priority Customers should be given an opportunity to sign up in advance of other non-covered customers. Or, if there is not a pre-registration system in place, Priority Customers should be given the opportunity to take a seat ahead of other customers who arrive for the same session.
- The center manager or One-Stop Operator may choose to offer expanded service hours in order to give Priority Customers exclusive access to Core Services and resources.

This Priority Treatment system for covered customers is not intended to completely replace the usual rule for delivering Core Services – that is, “first come; first serve.” In fact, these Priority of Service Guidelines should not generally be used to “bump” non-covered customers who have been waiting longer than a covered person for a limited resource or service opportunity.

Even so, our local workforce system is committed to giving a meaningful advantage to Priority Customers who are seeking access to Core Services. Our Priority Treatment system is an important acknowledgment of the sacrifices of the men and women who have served in the U.S. armed forces.

## **2. Priority of Service Guidelines for Intensive Services.**

**Background.** Section 134(d)(3)(C) of the Workforce Investment Act defines the types of Intensive Services that may be delivered by a local workforce investment system. These include:

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- (i) Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include--
  - (I) diagnostic testing and use of other assessment tools; and
  - (II) in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
- (ii) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals.
- (iii) Group counseling.
- (iv) Individual counseling and career planning.
- (v) Case management for participants seeking training services....
- (vi) Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct, to prepare individuals for unsubsidized employment or training.

As described in the COWIB Policy on Sequencing of Services, a customer must meet a certain threshold of need before s/he may receive Intensive Services. Eligibility for Intensive Services hinges on the customer's ability to obtain employment that allows for self-sufficiency. As stated in Section 134(d)(3)(A) of WIA, Intensive Services may be offered to Adults and Dislocated Workers, respectively--

- (i) ***(I) who are unemployed and are unable to obtain employment through core services provided under paragraph (2); and***
  - (II) who have been determined by a one-stop operator to be in need of more intensive services in order to obtain employment; or***
- (ii) ***who are employed, but who are determined by a one-stop operator to be in need of such intensive services in order to obtain or retain employment that allows for self-sufficiency.***

The general eligibility criteria for accessing Intensive Services are spelled out in the COWIB Policy on Sequencing of Services. For reference, an "Eligibility Checklist for Intensive Services" is included on the next page of these procedures.

**A. Priority of Service When Adult Funds are Sufficient.** The COWIB Policy on Priority of Service makes the following statement:

***"It is the COWIB's position that, in normal circumstances, WIA Adult funds are generally sufficient to serve the needs of the area. This determination pre-supposes that the Central Oklahoma labor market is expanding, economic growth is evident, and the COWIB's annual allotment of WIA Adult formula funds has not suffered a year-to-year decline."***

# Eligibility Checklist for Intensive Services



Participant Name: \_\_\_\_\_

Participant ID Number: \_\_\_\_\_

## (1) Basic Eligibility Documentation

- YES  NO Is the customer at least 18 years of age?  
 YES  NO Is the customer a U.S. citizen or eligible to work in the United States?  
 YES  NO Is the customer in compliance with the Military Selective Service Act?  
 YES  NO Does the customer's OSL Record reflect that documentation for the above items has been reviewed?

*If a "No" answer appears for any of these questions, then the customer is not eligible to receive intensive services or training.*

## (2) "Core" Services Provided

Check which Core Services have been provided to the customer:

- Services Available  Job Search Assistance  Career Counseling  
 Initial Assessment  Placement Assistance  Other

*20 CFR 663.160: "At a minimum, an individual must receive at least one core service, such as an initial assessment or job search or placement assistance, before receiving intensive services."*

## (3) Basis of Need for Intensive Services

There are two categories of Adults and Dislocated Workers who may receive Intensive Services. If the customer doesn't fit into one of these categories, then Intensive Services may not be offered.

### (a) Unable to Obtain Employment through Core Services

This status may be verified by an OSL Record showing either of the following conditions:

1. Participant has received Job Search and Placement Assistance; or  
 2. An initial assessment of the individual's employment history and skill levels leads to a staff determination that the customer ...  
 Lacks a Work History showing self-sufficient employment for at least one year; OR  
 Lacks identifiable job skills to enable employment at a self-sufficient wage; OR  
 Has one or more of the following characteristics:  
..... *Displaced Homemaker* ..... *Laid off from declining industry*  
..... *Reading Level < 8th Grade* ..... *Offender*  
..... *Limited English Language Skills* ..... *Individual with a disability*  
..... *Public Assistance Recipient* ..... *Older Individual*  
..... *Single Head of Household* ..... *Likely to Exhaust UI*

### (b) Employed -- Not Self-Sufficient

If the participant is employed, the need for Intensive Services may be documented by an initial assessment showing that the customer has full-time employment at a wage rate--

1. Below the "Self-Sufficient" level set by the COWIB; OR  
 2. For a Dislocated Worker, below the customer's Pre-Layoff Wage Rate.  
... Where "Full-Time" is continuing employment of 32 hours / week or more.

## Documentation.

Use this checklist as a Desk Aide to determine whether the participant is . . .

**Eligible**  **Not Eligible** to receive Intensive Services according to local policy.

To document this determination, a case note should be recorded in the Universal Case Notes section of the Oklahoma Service Link system.

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In normal circumstances, then, it is relatively easy to define the Priority of Service Guidelines for Intensive Services delivered by our local workforce investment system. Our focus will be on compliance with the Priority of Service rules that apply to covered persons under the Jobs for Veterans Act.

When WIA Adult funds are determined to be “sufficient,” the following table provides a summary of the Priority system for Intensive Services:

<u><i>Type of Service</i></u>	<u><i>Enrollment Priority</i></u>
Comprehensive and specialized assessments	... <i>Covered Persons: Jobs for Veterans Act</i>
Development of the Individual Employment Plan (IEP)	... <i>Covered Persons: Jobs for Veterans Act</i>
Group counseling	... <i>Covered Persons: Jobs for Veterans Act</i>
Individual Counseling and Career Planning	... <i>Covered Persons: Jobs for Veterans Act</i>
Case management for customers seeking training	... <i>Covered Persons: Jobs for Veterans Act</i>
Supportive Services	... <i>Covered Persons: Jobs for Veterans Act</i>
Short-term prevocational services	... <i>Covered Persons: Jobs for Veterans Act</i>
Out-of-Area Job Search Assistance	... <i>Not Available</i>
Literacy Activities related to basic workforce readiness	... <i>Covered Persons: Jobs for Veterans Act</i>
Relocation Assistance	... <i>Not Available</i>
Work Experience Activities	... <i>Covered Persons: Jobs for Veterans Act</i>

As shown, the Priority system is simple and one-dimensional. If a service is available, it will be delivered on a priority basis to customers who qualify as a “covered person” under the Jobs for Veterans Act.<sup>5</sup>

**B. Delivering Intensive Services when Adult Funds Are Sufficient.** The Jobs for Veterans Act requires all states and local boards to maintain a record-keeping system that allows participants to be tagged as either a “covered” or a “non-covered” customer. Therefore, the Career Guide or Case Manager (or other staff member) will be able to recognize “covered” participants and offer intensive services to them on a priority basis.

When a covered customer seeks intensive services, the Career Guide or Case Manager (or other staff member) may proceed to offer the usual intensive services that are available to other eligible customers. Priority Customers do not receive different services than non-covered customers. However, they are eligible to receive priority treatment in the manner that the services or resources are delivered.

In practical terms, “priority treatment” has the same meaning for Intensive Services as it does for Core Services:

- (1) The covered person will receive access to the Intensive Services *earlier in time* than non-covered persons; or

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<sup>5</sup> All customers who receive an Intensive Service, regardless of priority status, must satisfy the eligibility criteria described in the COWIB Policy on Sequencing of Services.

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- (2) If a particular type of Intensive Service is limited, covered individuals will receive access to the service *instead of* or *before* any non-covered customers.

For example—

- When customers are being scheduled for comprehensive and specialized assessments, veterans and covered spouses should be given the first opportunity to make an appointment – ahead of non-covered customers.
- When Case Managers are scheduling customers for the development of an IEP, covered customers should be given the first opportunity to request an appointment time.
- When group counseling is being offered, veterans and covered spouses must be given the opportunity to access the session before it is opened up to non-covered customers. For example, if a sign-up system is used to reserve a spot for customers, covered individuals should be given an opportunity to sign up in advance of other non-covered customers. Or, if there is not a pre-registration system in place, veterans and covered spouses should be given the opportunity to take a seat ahead of other customers who arrive for the same session.

Our local workforce system is committed to giving a tangible advantage to Priority Customers who are seeking access to Intensive Services. We intend to offer this advantage from the time the customer is determined eligible for his/her first Intensive Service and during the delivery of all subsequent services, too.

**C. Priority of Service When Adult Funds are Limited.** The COWIB Policy on Priority of Service makes the following statement:

*“In the event that WIA Title I Adult funds are limited, then the COWIB’s CEO shall establish procedures to limit the availability of Intensive Services....”*

When WIA Adult funds are determined to be “limited,” the table on the following page provides a summary of the Priority system for Intensive Services.

As shown, the priority system is multi-dimensional. Several levels of priority are given. After appropriate consideration has been given to higher priority groups, intensive services may be offered to other eligible participants if capacity exists in our local workforce investment system.

The Priority Guidelines are most stringent for three particular categories of Intensive Services. These services are considered to be “premium” Intensive Services because they typically involve the payment of funds or they require an extensive investment of staff time:

- Case Management for customers seeking training;
- Supportive Services; and
- Work Experience Activities, including Internships.

## Priority Guidelines for Delivery of Intensive Services When Adult Funds are Limited

Type of Service	Priority Group / Priority Status			
	Persons who are both "JFV" Covered and "Low Income"	"Low Income" customers who aren't covered by "JFV"	Customers who are covered by "JFV," regardless of income	All Other Eligible Customers
Comprehensive Assessments			<b>First Priority</b>	<b>Second Priority</b>
IEP Development (Individual Employment Plan)			<b>First Priority</b>	<b>Second Priority</b>
Group Counseling			<b>First Priority</b>	<b>Second Priority</b>
Individual Counseling			<b>First Priority</b>	<b>Second Priority</b>
Individual Career Planning			<b>First Priority</b>	<b>Second Priority</b>
Case Management for customers seeking training	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Supportive Services	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Short-term pre-vocational services			<b>First Priority</b>	<b>Second Priority</b>
Literacy Activities for basic workforce readiness			<b>First Priority</b>	<b>Second Priority</b>
Work Experience Activities, inc. Internships	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>

### Definitions:

"JFV" refers to the Jobs for Veterans Act. Under the JFV Act, the term "Covered Persons" includes veterans and defined spouses.

"Low Income" refers to eligible participants who:

- (a) Meet the definition of a "Low Income Individual" as given in the Workforce Investment Act; or
- (b) Are recipients of Public Assistance, as defined in WIA.

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For these types of “premium” Intensive Services, the highest priority will be given to customers who fall into both of the following priority groups: (a) Covered by the Jobs for Veterans Act; and (b) “Low Income.”<sup>6</sup>

For other types of Intensive Services (which do not generally require an extensive investment of staff time or resources), the highest priority will be given to customers who are covered by the Jobs For Veterans Act, regardless of their income status.

### **D. Delivering Intensive Services when Adult Funds Are Limited.**

#### **(1) “Non-Premium” Types of Intensive Services**

As shown in the “Priority Guidelines” table, for most types of intensive services, there are only two levels of Priority Status. These “non-premium” types of Intensive Services include:

- Comprehensive Assessments;
- IEP Development;
- Group Counseling;
- Individual Counseling;
- Short-term pre-vocational services; and
- Literacy Activities.

To implement the Priority Guidelines for these “non-premium” types of Intensive Services, it is only necessary to consider whether or not the customer is covered under the Jobs For Veterans Act. It is not necessary to make a determination of the customer’s “Low Income” status.

In practical terms, the Priority Guidelines for these “non-premium” types of Intensive Services are the same as the guidelines for the delivery of Core Services:

- (1) Persons who are covered by JVA will receive access to these Intensive Services *earlier in time* than non-covered persons; or
- (2) If any of these Intensive Services are limited, JVA-covered individuals will receive access to the service *instead of* or *before* any non-covered customers.

For example—

- When customers are being scheduled for comprehensive and specialized assessments, veterans and covered spouses should be given the first opportunity to make an appointment – ahead of non-covered customers.

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<sup>6</sup> As used in these guidelines, the shorthand term “Low Income” refers to any eligible participant who:

- Meets the definition of “Low Income Individual” as given in the Workforce Investment Act; or
- Is a recipient of Public Assistance, as defined in WIA.

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- When Case Managers are scheduling customers for the development of an IEP, covered customers should be given the first opportunity to request an appointment time.
- When group counseling is being offered, veterans and covered spouses must be given the opportunity to access the session before it is opened up to non-covered customers. For example, if a sign-up system is used to reserve a spot for customers, covered individuals should be given an opportunity to sign up in advance of other non-covered customers. Or, if there is not a pre-registration system in place, veterans and covered spouses should be given the opportunity to take a seat ahead of other customers who arrive for the same session.

**(2) “Premium” Types of Intensive Services**

For the “premium” types of Intensive Services (Case Management for customers seeking training, Supportive Services, and Work Experience activities), the priority system is more complicated. More care and attention must be given to the proper treatment of customers in the various priority groups.

For the “premium” types of Intensive Services, there are four levels of Priority Status:

1. *Customers who are both “JVA” Covered and “Low Income.”*
2. *“Low Income” customers who aren’t covered by “JVA.”*
3. *Customers who are covered by “JVA,” regardless of income.*
4. *All Other Eligible Customers.*

Before any customer may receive a “premium” type of Intensive Service (Case Management for customers seeking training, Supportive Services, and Work Experience activities), there must be a determination of which Priority Group the customer belongs to.

To make this determination, a Workforce Oklahoma staff professional must collect and review documentary evidence to verify the customer’s unique circumstances. A paper case file must be opened, and appropriate documentation must be maintained in the customer’s file.

**Please refer to Section 4 of these Guidelines for a complete description of the paper case file, the Priority Group Determination worksheet, and the Low Income / Public Assistance Verification Sheet.**

After each customer’s Priority Group has been determined, “premium” types of Intensive Services may be offered according to the following guidelines:

- (1) Customers in a higher-priority group must receive access to these services *earlier in time* than customers in a lower-priority group; or

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- (2) If any of these premium services are limited, customers in a higher-priority group must receive access to the service *instead of* or *before* any lower-priority customers.

**(a) Procedures for Work Experience Activities when funds are limited.**

The following general procedures must be followed when Adult funds are determined to be “limited” in the Central Oklahoma area:

- ✓ The COWIB’s One-Stop Operator will compile a listing of available worksites with the capacity to accept new Work Experience participants. In preparing this list, proper consideration should be given to the amount of funds available in the Work Experience activity budget.
- ✓ Simultaneously, the One-Stop Operator will compile a list of eligible customers who have been assessed as having a need for a Work Experience activity.
- ✓ The list of eligible customers must be ranked in terms of the Priority Group of each customer, with Priority Group “1” customers at the top of the list and Priority Group “4” customers at the bottom of the list.
- ✓ All Priority Group “1” customers should be referred to available Work Experience opportunities before any Priority Group “2” customers are referred.
- ✓ All Priority Group “2” customers should be referred to available Work Experience opportunities before any Priority Group “3” customers are referred.
- ✓ All Priority Group “3” customers should be referred to available Work Experience opportunities before any Priority Group “4” customers are referred.
- ✓ Priority Group “4” customers may be referred only after all customers in the higher-ranked groups have had an opportunity to accept a Work Experience assignment.
- ✓ If two or more equally-ranked customers are available to accept a referral to a worksite, the One-Stop Operator may implement a participant selection process consistent with the COWIB Policy on Work Experience Activities. The selection process may prioritize the delivery of services to customers who have a poor work history. Beyond that, if two or more customers have a similar degree of need for a Work Experience activity, the selection process must be designed to provide an equal opportunity for referral.<sup>7</sup> An unbiased random selection process may be used.

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<sup>7</sup> Discrimination is prohibited on the grounds of race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I--financially assisted program or activity.

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**(b) Procedures for Supportive Services when funds are limited.**

These are the general procedures for delivering Supportive Services to “Adult” participants in the Central Oklahoma area when funds are determined to be limited:

- ✓ In cooperation with the COWIB, the One-Stop Operator will prepare a supportive service budget describing the amount of funds available to meet the needs of Adult participants in the Central Oklahoma area. The budget should provide an estimate of the amount of supportive service funds available each month through the end of the contract period.
- ✓ Simultaneously, the One-Stop Operator will compile a list of eligible customers who have been assessed as having a need for supportive services.
- ✓ Periodically – no less frequently than once per month – the One-Stop Operator will review the supportive service requests that have been made in comparison to the amount of funds available to meet those needs.
- ✓ The list of eligible customers must be ranked in terms of the Priority Group of each customer, with Priority Group “1” customers at the top of the list and Priority Group “4” customers at the bottom of the list.
- ✓ The supportive service requests of all Priority Group “1” customers should be considered *before* the needs of any Priority Group “2” customers are examined.
- ✓ The supportive service requests of all Priority Group “2” customers should be considered *before* the needs of any Priority Group “3” customers are examined.
- ✓ The supportive service requests of all Priority Group “2” customers should be considered *before* the needs of any Priority Group “3” customers are examined.
- ✓ The supportive service requests of Priority Group “4” customers may be examined only after the requests of all customers in the higher-ranked groups have been considered.
- ✓ If two or more equally-ranked customers have requests pending for supportive services, the One-Stop Operator may implement a process for delivering the supportive services consistent with COWIB Policy. The process must be designed to provide for the delivery of services on an equal opportunity basis.<sup>8</sup> An unbiased random selection process may be used.

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<sup>8</sup> Discrimination is prohibited on the grounds of race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I--financially assisted program or activity.

**(c) Procedures for the Assignment of Case Managers (for customers seeking training) when funds are limited.**

These are the general procedures for assigning Case Managers to “Adult” participants in the Central Oklahoma area when funds are determined to be limited:

- ✓ In cooperation with the COWIB, the One-Stop Operator will prepare a plan describing the number of Adult participants who will be enrolled in occupational skills training activities in the Central Oklahoma area. The plan should take into consideration the caseload that is being carried by the Skills Development Unit, the amount of funds available for Individual Training Accounts (ITA)’s, and other variables which may be relevant to the delivery of case management services for customers who are seeking training.
- ✓ Simultaneously, the One-Stop Operator will compile a list of eligible customers who have been assessed as having a need for occupational skills training.
- ✓ Periodically – no less frequently than once per month – the One-Stop Operator will review the number of eligible customers who need occupational skills training compared to: (a) The caseload capacity in the Skills Development Unit; (b) The amount of unobligated funds available for ITA’s; and (c) Other relevant factors identified by the One-Stop Operator.
- ✓ The list of eligible customers must be ranked in terms of the Priority Group of each customer, with Priority Group “1” customers at the top of the list and Priority Group “4” customers at the bottom of the list.
- ✓ The training requests of all Priority Group “1” customers should be considered *before* the needs of any Priority Group “2” customers are examined.
- ✓ The training requests of all Priority Group “2” customers should be considered *before* the needs of any Priority Group “3” customers are examined.
- ✓ The training requests of all Priority Group “2” customers should be considered *before* the needs of any Priority Group “3” customers are examined.
- ✓ The training requests of Priority Group “4” customers may be examined only after the requests of all customers in the higher-ranked groups have been considered.
- ✓ If two or more equally-ranked customers have requests pending for occupational skills training, the One-Stop Operator may implement a process for delivering the training consistent with COWIB Policy. The

process must be designed to provide for the delivery of services on an equal opportunity basis.<sup>9</sup> An unbiased random selection process may be used.

### **3. Priority of Service Guidelines for Training Services.**

**Background.** Section 134(d)(4)(D) of the Workforce Investment Act defines the types of Training Services that may be delivered by a local workforce investment system. These include:

- (i) occupational skills training, including training for nontraditional employment;*
- (ii) on-the-job training;*
- (iii) programs that combine workplace training with related instruction...;*
- (iv) training programs operated by the private sector;*
- (v) skill upgrading and retraining;*
- (vi) entrepreneurial training;*
- (vii) job readiness training;*
- (viii) adult education and literacy activities provided in combination with services described in any of clauses (i) through (vii); and*
- (ix) customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.*

As described in the COWIB Policy on Sequencing of Services, a customer must meet a certain threshold of need before s/he may receive Training Services. As stated in Section 134(d)(4)(A) of WIA, Training Services may be offered to Adults and Dislocated Workers, respectively--

- (i) who have met the eligibility requirements for intensive services under paragraph (3)(A) and who are unable to obtain or retain employment through such services;*
- (ii) who after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to be in need of training services and to have the skills and qualifications to successfully participate in the selected program of training services;*
- (iii) who select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults or dislocated workers receiving such services are willing to relocate;*
- (iv) who meet the requirements of subparagraph (B); and*
- (v) who are determined to be eligible in accordance with the priority system....*

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<sup>9</sup> Discrimination is prohibited on the grounds of race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I--financially assisted program or activity.

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The general eligibility criteria for accessing Training Services are spelled out in the COWIB Policy on Sequencing of Services. For reference, an “Eligibility Checklist for Training Services” is included on the next page of these procedures.

**A. Priority of Service When Adult Funds are Sufficient.** In normal circumstances, it is relatively easy to define the Priority of Service Guidelines for Training Services delivered by our local workforce investment system. As is the case with Intensive Services, our focus is on compliance with the Priority of Service rules that apply to covered persons under the Jobs for Veterans Act.

When WIA Adult funds are determined to be “sufficient,” the following table provides a summary of the Priority system for Training Services:

<u><i>Type of Service</i></u>	<u><i>Enrollment Priority</i></u>
Occupational Skills Training, including non-traditional	... <i>Covered Persons: Jobs for Veterans Act</i>
On-the-Job Training	... <i>Covered Persons: Jobs for Veterans Act</i>
Programs of Combined Workplace Training	... <i>Covered Persons: Jobs for Veterans Act</i>
Skill Upgrading and Retraining	... <i>Covered Persons: Jobs for Veterans Act</i>
Entrepreneurial Training	... <i>Covered Persons: Jobs for Veterans Act</i>
Job Readiness Training	... <i>Covered Persons: Jobs for Veterans Act</i>
Training Services with Adult Education / Literacy	... <i>Covered Persons: Jobs for Veterans Act</i>
Customized Training	... <i>Covered Persons: Jobs for Veterans Act</i>

As shown, the Priority system is simple and one-dimensional. All training services will be delivered on a priority basis to customers who qualify as a “covered person” under the Jobs for Veterans Act.<sup>10</sup>

**B. Delivering Training Services when Adult Funds Are Sufficient.** The process for delivering training services under normal circumstances is not different from the process for delivering intensive services.

When a covered customer seeks training services, the Career Guide or Case Manager (or other staff member) may proceed to offer the usual training services that are available to other eligible customers. Priority Customers do not receive different services than non-covered customers. However, they are eligible to receive priority treatment in the manner that the services or resources are delivered.

In practical terms, “priority treatment” has the same meaning for Training Services as it does for Intensive Services:

- (1) The covered person will receive access to the Training Services *earlier in time* than non-covered persons; or

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<sup>10</sup> All customers who receive a Training Service, regardless of priority status, must satisfy the eligibility criteria described in the COWIB Policy on Sequencing of Services.

# Eligibility Checklist for Training Services



Participant Name: \_\_\_\_\_

Participant ID Number: \_\_\_\_\_

## (1) Assessment / IEP

*In order for a participant to progress from Intensive Services to Training Services, each of the following requirements must be satisfied--*

- \_\_\_ Requirements for Core and Intensive Services have been met;
- \_\_\_ The COWIB's Policy on customer choice has been described to the participant;
- \_\_\_ Customer has actively participated in the development of an Individual Employment Plan;
- \_\_\_ IEP clearly documents the need for Training Services;
- \_\_\_ Customer has skills and qualifications to successfully participate in the selected program;
- \_\_\_ The selected program of training is related to a COWIB-approved "Demand Occupation."

*If any of the above requirements are not met, then the customer is not eligible to receive WIA-sponsored Training Services.*

## (2) Coordination of Training Funds

\_\_\_ YES \_\_\_ NO An "Unmet Training Needs" worksheet and/or a "Coordination of Training Funds" form has been completed, documenting a need for WIA assistance.

## (3) ITA Requirements

Unless an exception exists, the training shall be provided through the use of an Individual Training Account (ITA). The following forms, bearing the signature of the participant, must be completed:

- \_\_\_ (a) Individual Training Account
- \_\_\_ (b) Training Enrollment Agreement

## Description of Training:

## Determination.

Based on the analysis shown above, I have determined that the named participant is:

\_\_\_ **Eligible** \_\_\_ **Not Eligible** to receive Training Services according to local policy.

\_\_\_\_\_  
**Service Provider Representative**

\_\_\_\_\_  
**Date**

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- (2) If a particular type of Training Service is limited, covered individuals will receive access to the service *instead of* or *before* any non-covered customers.

Here is a set of general procedures for offering training services to “Adult” participants in the Central Oklahoma area when funds are determined to be sufficient:

- ✓ In cooperation with the COWIB, the One-Stop Operator will prepare a plan describing the number of Adult participants who will be enrolled in training activities in the Central Oklahoma area. The plan should take into consideration the amount of funds available for Individual Training Accounts (ITA)’s as well as other variables which may be relevant to the delivery of training services.
- ✓ Simultaneously, the One-Stop Operator will compile a list of eligible customers who have been assessed as having a need for training services.
- ✓ Periodically – no less frequently than once per month – the One-Stop Operator will review the number of eligible customers who need training services compared to: (a) The amount of unobligated funds available for ITA’s; and (b) Other relevant factors identified by the One-Stop Operator.
- ✓ The list of eligible customers must be ranked in terms of the Priority Group of each customer, with JVA-covered customers at the top of the list and all other customers at the bottom of the list.
- ✓ The training requests of all JVA-covered customers must be considered *before* the needs of any other customers are examined.
- ✓ If two or more JVA-covered customers have requests pending for training services, the One-Stop Operator may implement a process for delivering the training consistent with COWIB Policy. The process must be designed to provide for the delivery of services on an equal opportunity basis.<sup>11</sup> An unbiased random selection process may be used.

Our local workforce system is committed to giving a tangible advantage to JVA-Covered Customers who are seeking access to Training Services.

**C. Priority of Service When Adult Funds are Limited.** The COWIB Policy on Priority of Service makes the following statement:

*In times of limited resources, the COWIB’s CEO shall establish procedures to limit the availability of WIA-funded Training Services.*

*All WIA-funded training shall be offered on a priority basis to participants who are recipients of public assistance or who meet the definition of ‘low-income individual....’*

When WIA Adult funds are determined to be “limited,” the table on the following page provides a summary of the Priority system for Training Services.

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<sup>11</sup> Discrimination is prohibited on the grounds of race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I--financially assisted program or activity.

## Priority Guidelines for Delivery of Training Services When Adult Funds are Limited

Type of Service	Priority Group / Priority Status			
	Persons who are both "JFV" Covered and "Low Income"	"Low Income" customers who aren't covered by "JFV"	Customers who are covered by "JFV," regardless of income	All Other Eligible Customers
Occupational Skills Training (Individual Training Account)	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
On-the-Job Training (OJT)	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Combinted Workplace Training and Related Instruction	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Skill Upgrading and Retraining	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Entrepreneurial Training	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>
Customized Training	<b>First Priority</b>	<b>Second Priority</b>	<b>Third Priority</b>	<b>Fourth Priority</b>

### Definitions:

"JFV" refers to the Jobs for Veterans Act. Under the JFV Act, the term "Covered Persons" includes veterans and defined spouses.

"Low Income" refers to eligible participants who:

- (a) Meet the definition of a "Low Income Individual" as given in the Workforce Investment Act; or
- (b) Are recipients of Public Assistance, as defined in WIA.

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As shown, the Priority system is multi-dimensional. Several levels of priority are given. After appropriate consideration has been given to higher priority groups, Training Services may be offered to other eligible participants if capacity exists in our local workforce investment system.

For all types of Training Services, the highest priority will be given to customers who fall into both of the following priority groups: (a) Covered by the Jobs for Veterans Act; and (b) “Low Income.”<sup>12</sup>

**D. Delivering Training Services when Adult Funds Are Limited.**

As shown in the Priority Guidelines for Delivery of Training Services, there are four levels of Priority Status:

1. *Customers who are both “JVA” Covered and “Low Income.”*
2. *“Low Income” customers who aren’t covered by “JVA.”*
3. *Customers who are covered by “JVA,” regardless of income.*
4. *All Other Eligible Customers.*

Before any customer may receive any type of Training Service, there must be a determination of which Priority Group the customer belongs to. To make this determination, a Workforce Oklahoma staff professional must collect and review documentary evidence to verify the customer’s unique circumstances. A paper case file must be opened, and appropriate documentation must be maintained in the customer’s file.

**Please refer to Section 4 of these Guidelines for a complete description of the paper case file, the Priority Group Determination worksheet, and the Low Income / Public Assistance Verification Sheet.**

After each customer’s Priority Group has been determined, Training Services may be offered according to the following guidelines:

- (1) Customers in a higher-priority group must receive access to these services *earlier in time* than customers in a lower-priority group; or
- (2) If any training service is limited, customers in a higher-priority group must receive access to the service *instead of* or *before* any lower-priority customers.

The following general procedures must be followed when Adult funds are determined to be “limited” in the Central Oklahoma area:

- ✓ In cooperation with the COWIB, the One-Stop Operator will prepare a plan describing the number of Adult participants who will be enrolled in training activities in the Central Oklahoma area. The plan should take into consideration the amount of funds available

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<sup>12</sup> As used in these guidelines, the shorthand term “Low Income” refers to any eligible participant who:

- Meets the definition of “Low Income Individual” as given in the Workforce Investment Act; or
- Is a recipient of Public Assistance, as defined in WIA.

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for Individual Training Accounts (ITA)'s as well as other variables which may be relevant to the delivery of training services.

- ✓ Simultaneously, the One-Stop Operator will compile a list of eligible customers who have been assessed as having a need for training services.
- ✓ Periodically – no less frequently than once per month – the One-Stop Operator will review the number of eligible customers who need training services compared to the amount of unobligated funds available for training services.
- ✓ The list of eligible customers must be ranked in terms of the Priority Group of each customer, with Priority Group “1” customers at the top of the list and Priority Group “4” customers at the bottom of the list.
- ✓ All Priority Group “1” customers should be assigned to Training Services before any Priority Group “2” customers are enrolled.
- ✓ All Priority Group “2” customers should be assigned to Training Services before any Priority Group “3” customers are enrolled.
- ✓ All Priority Group “3” customers should be assigned to Training Services before any Priority Group “4” customers are enrolled.
- ✓ Priority Group “4” customers may be enrolled only after all customers in the higher-ranked groups have been assigned to Training Services.
- ✓ If two or more equally-ranked customers are available for enrollment into a Training activity, the One-Stop Operator may implement a participant selection process consistent with COWIB Policy. At all time, the selection process must be designed to provide an equal opportunity for referral.<sup>13</sup> An unbiased random selection process may be used.

### **4. Documenting Priority Status.**

**Background.** The requirements for documentation of Priority Status are addressed in two policy statements that have been issued by the Oklahoma Employment Security Commission (OESC).

Oklahoma Employment and Training Issuance #06-2006, Change 1 (published February 4, 2008) should be used as guidance on the documentation of a customer's status under the Jobs For Veterans Act. The OETI addresses the topic, “Program Eligibility and Data Element Validation Policy for Workforce Investment Act (WIA) Adult & Dislocated Worker Programs (DLW)....”

OETI #06-2006, Change 1, also includes instructions on how to document a participant's status as a low-income individual. The OETI presents guidelines on the “Validation Method and OSL Documentation Required.” It also gives a list of “Acceptable Documentation Sources.”<sup>14</sup>

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<sup>13</sup> Discrimination is prohibited on the grounds of race, color, religion, sex, national origin, age, political affiliation or belief, and for beneficiaries only, citizenship or participation in any WIA Title I--financially assisted program or activity.

<sup>14</sup> Within OETI #06-2006, Change 1, see Page 10 of Appendix A.

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Additional guidance on determining a customer's status as a low-income individual appears in OETI #15-2009. This OETI, published June 15, 2009, addresses the subject, "Determining Family Size & Income Eligibility for WIA Adult and Youth Programs." The OETI presents definitions of "Family," "Family Size," and "Family Income."

A copy of OETI #15-2009 is appended to these Priority Guidelines as well as excerpts from OETI #06-2006, Change 1.

### **A. Documenting "Veteran" or "Other Eligible" Status.**

As noted in these Guidelines, an individual customer's status as a Veteran or Covered Spouse (as defined in the Jobs for Veterans Act) must be ascertained at the Point of Entry to our local workforce development system. The identification process is described on Pages 5 through 7 of this document.

To validate that a customer is a Veteran or Covered Spouse, the customer self-identifies his / her status. It is not necessary for the customer to present any further evidence (such as a DD-214 or other document).

Attachment A of OETI #06-2006, Change 1, describes the documentation requirement for this item as follows:

*"For participants who self-identify as Veteran, Other Eligible or Transitioning Service Member, staff must:*

- 1. Record and/or verify the 'Vet' status I the OSL Universal Demographic screen."*

Beyond this requirement to maintain a record in the OSL database, there is no mandate to collect or maintain any other documentation. The creation of a paper case file is not required at this point.

*NOTE: The definition of "Veteran or Other Eligible" given on Page 13 of Attachment A of OETI #06-2006, Change 1, differs from the definition given in the Jobs For Veterans Act. For the purpose of implementing the COWIB's Policy on Priority of Service, the definition of "Veteran" given on Page 4 of these Guidelines should be used.*

### **B. Documenting "Low Income" Status.**

In these guidelines, we use the shorthand term "Low Income" to refer to any eligible participant who:

- Meets the definition of "Low Income Individual" as given in the Workforce Investment Act; or
- Is a recipient of Public Assistance, as defined in WIA.

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There are two steps in the process of documenting “Low Income” status – *recording* and *validating*:

- (1) Recording the participant’s “Low Income” status.

Generally speaking, each customer’s “Low Income” status will be recorded at the time that the participant’s OSL participant record is created. The OSL Universal Demographic Screen is designed to capture the customer’s status in this regard.

We generally assume that the initial entry for “Low Income” status in the OSL system is correct. Even so, the “Low Income” status must be re-reviewed at the time that Priority Status is determined. This requirement is enunciated in OETI #06-2006, Change 1, as follows:

***“If a local area has made a priority of service determination, then data element validation for ‘low income’ must occur at the point of the first staff assisted intensive and/or training service, depending on the priority established, for participants in the WIA Adult program.”<sup>15</sup>***

If, during the re-review of the customer’s Low Income status, it is discovered that the original entry in the OSL system was incorrect, then a correcting entry must be made.

- (2) Validating the participant’s status.

To document an individual’s “Low Income” status, we will rely on the general guidance given on Pages 10 and 11 of OETI #06-2006, Change 1. Additionally, a verification sheet will be employed. (See the “Low Income / Public Assistance Verification Sheet” on the next page of these Guidelines).

Attachment A of OETI #06-2006, Change 1, describes the general documentation requirement for this item as follows:

***Verification of the individual’s... status is required using an acceptable source document. When verified, staff must:***

- 1. Record and/or verify the individual’s... status in the OSL Universal Demographic screen; and***
- 2. Record OSL Program Case Notes:***
  - Eligibility Criteria being validated (e.g., low income)***
  - Date the verification occurred;***
  - Source document used; and***

***NOTE: Paper documentation must also be kept in the participant’s paper case file at the point the LWIB has determined priority of service.***

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<sup>15</sup> OETI #06-2006, Change 1, Page 5.

# Low Income / Public Assistance Verification Sheet



Customer Name \_\_\_\_\_

Participant Identification Number \_\_\_\_\_

### Low Income.

(1) **Cash Assistance.** Customer receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program.

\_\_\_YES \_\_\_NO

Documentation Source Used:

Public Assistance Record(s);  Applicant Statement;  Other.

(2) **Low Family Income.** Family income during the 6 months prior to application, in relation to family size, did not exceed: (a) The Poverty Level; or (b) 70% LLSIL.

\_\_\_YES \_\_\_NO

Documentation Source Used:

Pay stubs;  Employer Record;  Bank Statement;  UI Record;  
 Social Security Benefits;  Applicant Statement;  Other.

(3) **Food Stamp Recipient.** Customer is a member of a household that receives (or, within the 6-months prior, has been determined eligible to receive) food stamps.

\_\_\_YES \_\_\_NO

Documentation Source Used:

Food Stamp Letter;  DHS Record;  Applicant Statement;  Other.

(4) **Homeless.** Customer qualifies as a homeless individual as defined in the Stewart B. McKinney Homeless Assistance Act.

\_\_\_YES \_\_\_NO

Documentation Source Used:

Housing Agency Record;  Applicant Statement;  Other.

(5) **Foster Child.** Customer is a foster child on behalf of whom State or local government payments are made.

\_\_\_YES \_\_\_NO

Documentation Source Used:

DHS Record;  Applicant Statement;  Other.

(6) **Personal Income / Individual with Disability.** Customer is an individual with a disability whose own income meets the requirements of a person described in (1) or (2), but who is a member of a family whose income does not meet such requirements.

\_\_\_YES \_\_\_NO

Documentation Source Used:

Family or Business Financial Records;  Applicant Statement;  Other.

### TANF / Other Public Assistance.

Customer is a TANF program recipient or receives cash assistance from one of the Following: (a) General Assistance; (b) Refugee Cash Assistance; (c) Supplemental Security Income (SSI – SSA Title XVI); or (d) Other Public Assistance.

\_\_\_YES \_\_\_NO

### Instructions:

Verification of Low Income / Public Assistance status is required using an acceptable source document. When verified, a Workforce Oklahoma staff professional must:

1. Record and/or verify the individual’s status -- “Low Income” or “General Assistance” or “TANF, as appropriate” -- in the OSL Universal Demographics screen; and
2. Record in OSL Program Case Notes:
  - Eligibility Criteria being validated (e.g., low income);
  - Date the verification occurred;
  - Source documents used; and
  - Paper documentation must also be kept in the participant’s paper case file.

**CERTIFICATION.** I certify that this determination of Low Income / Public Assistance Status has been made in accordance with guidance from the COWIB and relevant OESC Issuances.

\_\_\_\_\_  
Workforce Professional

\_\_\_\_\_  
Date

***Revised – November 9, 2009***

A list of “Acceptable Source Documents” appears on Pages 10 and 11 of Attachment A. For “Low Income,” the acceptable source documents include:

- ***Public Assistance Records***
- ***Compensation Award Letter***
- ***Bank Statements***
- ***Award Letter from Veterans Administration***
- ***Social Security Benefits***
- ***Housing Authority Records***
- ***Pay Stubs***
- ***Family or Business Financial Records***
- ***Employer Statement***
- ***Quarterly Estimated Tax for Self-Employed Person***
- ***Current Unemployment Insurance Verification***
- ***Alimony Agreement***
- ***Written Applicant Statement***

For “Other Public Assistance,” the Acceptable Source Documents are:

- ***Copy of Authorization to Receive Cash Public Assistance***
- ***Copy of Public Assistance Check***
- ***Medical Card***
- ***Showing Cash Grant Status***
- ***Public Assistance Records/Printout***
- ***Refugee Assistance Records***
- ***Cross-match with public assistance database***

For “Temporary Assistance to Needy Families (TANF),” only one allowable source document is listed:

- ***Self-Attestation.***

The Low Income / Public Assistance Verification Sheet (see Page 29 of these Guidelines) summarizes the data validation requirements for these items. The Verification Sheet provides a space for a Workforce Oklahoma staff professional to certify that the relevant priority criteria have been met and documented appropriately.

For additional information and guidance on the validation of income-related items, please refer to Attachment B, “Excerpts from OEIT #06-2006, Change 1.”

**C. The Priority Group Determination Worksheet.**

After a customer's Low Income / Public Assistance status has been determined, and relying on information supplied by the customer regarding his / her status with respect to the Jobs For Veterans Act, it is possible to make a determination of which Priority Group each customer belongs to. To document this determination, the Priority Group Determination Worksheet is used.

The worksheet is a simple 1-page form. (See next page). It includes a space to record the customer's name and participant identification number. The central feature of the worksheet is a logical rubric that allows each customer to be properly classified into Priority Group 1, Priority Group 2, Priority Group 3, or Priority Group 4.

After the worksheet has been completed, it should be signed by a qualified staff professional of the Workforce Oklahoma system.

**D. The Paper Case File.**

As noted earlier in this section, OETI #06-2006, Change 1, includes a stated requirement for a paper documentation file to be maintained for every customer whose Priority Status is documented.

(1) Required Contents.

Each paper file must include documentation sufficient to validate the participant's "Low Income" status – whether or not they meet the definition. To support the determination, the following forms must be present in the file, at a minimum:

- ✓ Priority Group Determination Worksheet;
- ✓ Low Income / Public Assistance Verification Sheet; and
- ✓ An Applicant Statement or other acceptable source document to support the determination of the participant's Low Income / Public Assistance status.

(2) Access to Records

The COWIB will be monitoring and reviewing participant records at various times throughout each program year. COWIB Policy allows Board staff to have full access to all files and records relating directly to participant case files and records.

(3) Record Retention.

The One-Stop Operator and/or center manager shall maintain all participant case files for a period of five (5) years – according to the terms of the Operator's contract. During this retention period, all records shall be preserved and made available for review by the COWIB and its agents. In the event of an audit, all records shall be maintained until the

# Priority Group Determination Worksheet for Adult Customers



Customer Name \_\_\_\_\_

Participant ID Number \_\_\_\_\_

Determination Date \_\_\_\_\_

**Priority Group (check one):**

1.  "JFV" Covered and "Low Income"
2.  "Low Income" only
3.  "JFV," not Low Income
4.  Neither "JFV" nor "Low Income"

**DOCUMENTATION:**

**(1) JFV Covered.** To document that this customer is a Veteran or a Covered Spouse under the Jobs for Veterans Act, a Workforce Oklahoma staff professional must verify the following statement:

The OSL record for this individual shows that \_\_\_\_\_ Yes  
s/he is a Veteran or an "Other Eligible" person. \_\_\_\_\_ No

**(2) "Low Income."** To verify that this person is a "Low Income" customer, additional documentation must be reviewed and a paper case file must be opened. Use the COWIB's Low Income / Public Assistance Verification Sheet to document that the customer meets the definition of:

A low-income individual ... } \_\_\_\_\_ Yes  
OR TANF / Other Public Assistance ... } \_\_\_\_\_ No

**CERTIFICATION:**

I certify that this determination of Priority Group Status is true and correct, to the best of my knowledge, based on information provided by the customer named above.

\_\_\_\_\_  
Workforce Professional

\_\_\_\_\_  
Date

**Additional Instructions.**

Circle the correct number for this customer.

Use Priority Guidelines when referring this customer to an Intensive Service or a Training Service.

For customers in Priority Group 1 or Priority Group 2, a "Low Income / Public Assistance Verification Sheet" must be completed and maintained in the case file.

		Low Income?	
		Yes	No
Covered by Jobs for Veterans?	Yes ...	<b>1</b>	<b>3</b>
	No ...	<b>2</b>	<b>4</b>

*Revised – November 9, 2009*

audit is completely resolved which could require the One-Stop Operator / Service Provider to retain the records longer than five (5) years.

(4) Confidentiality Requirements.

The One-Stop Operator and/or center manager must assure that all personal information regarding individuals – including names, addresses, photographs, records of evaluations, and all other records of the participants – will be held confidential. This information may not be disclosed, directly or indirectly, without the written consent of the individual. Appropriate steps must be taken to assure that the physical security of confidential customer records – including the participant case files -- is protected at all times.

# **Attachments**

- A. OETI #15-2009**
  
- B. Excerpts from OETI #06-2006, Change 1**
  
- C. Guidance on Determining Family Size and Income**

## *Attachment A.*

### **OETI #15-2009**

The attached policy – 6 pages in length – provides guidance on WIA requirements for determining family size and family income for WIA Adult program participants.

# Oklahoma Employment Security Commission



Jon Brock, Executive Director

Brad Henry, Governor

**Representing Employers**

Julius Hilburn, Commissioner  
Gayle Harris, Commissioner

**Representing the Public**

Rev. W. B. Parker, Chairman

**Representing Employees**

Mike Wester, Commissioner  
Susan Stoll, Commissioner

## Oklahoma Employment and Training Issuance # 15-2009

**TO:** WIA Board Staff  
Fiscal Agents

**FROM:** Richard J. Gilbertson, Director  
Workforce Integrated Programs Division

**DATE:** June 15, 2009

**SUBJECT:** Determining Family Size & Income Eligibility for WIA Adult and Youth Programs

**REFERENCES:** Workforce Investment Act (WIA), Section 101(25)

**PURPOSE:** The purpose of this issuance is to provide guidance on WIA requirements for determining family size & income eligibility for WIA Adult and Youth Programs.

**ACTION:** This OETI will become a part of your permanent records and must be made available to appropriate personnel.

**INQUIRIES:** If you have any questions about this issuance, please contact Tami Decker at [tdecker@oesc.state.ok.us](mailto:tdecker@oesc.state.ok.us) or (405) 962-7595.

## Determining Family Size & Income Eligibility for WIA Adult and Youth Programs

**Family:** (WIA § 101(15)) The term “family” means two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

- (A) A husband, wife, and dependent children.
- (B) A parent or guardian and dependent children.
- (C) A husband and wife.

Any individual not meeting the above definition of family is considered to be a family of one.

**Exception:** If the family of a disabled youth does not meet the income eligibility criteria, the disabled youth may be considered a low-income individual if the youth’s own income:

- (a) Meets the income criteria established in WIA section 101(25)(B); or
- (b) Meets the income eligibility criteria for cash payments under any Federal, State or local public assistance program. (WIA sec. 101(25)(F))

The State is providing the following clarifications to the definition of family:

- **“Guardian”** refers to an individual related by blood, marriage, or decree of court and living in a single residence where the parents are not present in the residence.
- The phrase **“living in a single residence”** includes temporary, voluntary residence elsewhere such as attending school or college, or visiting relatives. It does not include involuntary temporary residence elsewhere, such as incarceration or placement into foster care as result of a court order.
- For Categories A and B, **“dependent children”** shall include:
  - Any child, age 14-17; or
  - Any child over the age of 17 who did not provide more than 50% of his/her own support for the 6 months prior to application.

**Note:** Applicants over age 17 who would ordinarily be included as part of a family, but claim to be no longer dependent on the parent/guardian, must complete a self certification statement, justifying that he/she has provided more than 50% of his/her own support (food, shelter, transportation costs, etc.) for the last 6 months. This statement should include the amount and sources(s) of his/her personal income, and the type and amount of expenses that the individual has covered for the last 6 months.

**Family Size:** The number of dependent children plus the number of parents or guardians who reside together. Use definitions in Family to arrive at the correct number.

**Note:** An “individual with a disability” must, for purposes of income eligibility determination, be considered to be an unrelated individual who is a family unit of one consistent with the definition of Low Income Individual at Section 101(25)(f) of the Act.

**Family Income:** All income received by all members of the family during the six-month period prior to application/registration, annualized by multiplying the six-month income by two (6-month income x 2). This amount should be compared to the 70% LLSIL or HHS poverty determination, whichever is greater. The composition of the family is determined as of the date of the application/registration. Therefore, the income of prior family members who may have comprised part of the family during the past six months, but are no longer members of the household (i.e., a divorced, separated or deceased spouse, or other family member) would not be counted for income determination purposes. Only the income of members of the current family should be counted and applied against the current family size. (WIA §189(h))

### **Inclusions for Family Income**

- **Gross wages and salaries before deductions:** Total money earnings received from work performed as an employee. If a family’s only source of income was from wages and salary payments, family income would be equal to gross wages and salary received.
- **Income from non-farm self-employment:** Net income (gross income minus operating expenses) from a business or other non-farm enterprise in which a person is engaged on his/her own account. If the business or enterprise has suffered a loss, this loss will be allowed to offset wage earnings.
- **Income from farm self-employment:** Net income from farm self-employment (income from a farm which operates as an owner, renter, or sharecropper, after deductions for farm operating expenses). If the farm has suffered a loss, this loss will be allowed to offset wage earnings. Money received under the Agricultural Crop Stabilization Program is considered income.
- **Social Security Disability Insurance (SSDI):** pays benefits to individuals that have worked in the past, paid Social Security taxes, and are currently unable to work for a year or more because of a disability. SSDI is considered income replacement. SSDI is different from Supplemental Security Income (SSI). SSI is an income supplement program funded by general tax revenues and pays benefits based on financial need (not Social Security taxes). SSI is designed to help aged, blind, and disabled people who have little or no income and provides cash to meet basic needs for food, clothing, and shelter.
- **Money received from such sources:**
  - Governmental and non-governmental pensions; (including military retirement pay)

- Regular payments from railroad retirement benefits, strike benefits from union funds, worker’s compensation , and training stipends;
- Alimony;
- Merit based scholarships, fellowships, and assistantships i.e. the recipient may be determined by students’ athletic, academic, artistic or other abilities;
- Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings;
- Terminal leave pay, severance pay, or a cash out of accrued vacation leave;
- Disaster Relief Employment Wages; and
- On-the-Job Training (OJT) wages.

**Exclusions for Family Income**

- **Unemployment Compensation;**
- **Child support payments;**
- **Old age and survivors’ insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402);**
- **Income earned while the veteran was in Active Military Duty, and certain other Veteran’s Benefits:** i.e., compensation for service-connected disability and service-connected death, vocational rehabilitation, and education assistance;
  - Military Pay or Allowances: Are there special rules that apply to veterans when income is a factor in eligibility determinations? (Sec. 667.255) Yes, under 38 U.S.C. 4213, when past income is an eligibility determinant for Federal employment or training programs, any amounts received as military pay or allowances by any person who served on active duty, and certain other specified benefits must be disregarded. This applies when determining if a person is a “low-income individual” for eligibility purposes (for example, in the WIA youth, Job Corps or NFJP programs) and applies if income is used as a factor in applying the priority provision under 20 CFR 663.600 when WIA adult funds are limited. Questions regarding the application of 38 U.S.C. 4213 should be directed to the Veterans Employment and Training Service.
  - US Code: Title 38, Section 4213. Eligibility requirements for veterans under Federal employment and training programs: Any (1) amounts received as pay or allowances by any person while serving on active duty, (2) period of time during which such person served on such active duty, and (3) amounts received under chapters 11, 13, 30, 31, 35, and 36 of this title by an eligible veteran, any amounts received by an eligible person under chapters 13 and 35 of such title, and any amounts received by an eligible person under chapter 106 of title 10, shall be disregarded in determining eligibility under any public service employment program, any emergency employment program, any job training program assisted under the Economic Opportunity Act of 1964, any employment or training program carried out under the Job Training

Partnership Act or **Title I of the Workforce Investment Act of 1998**, or any other employment or training (or related) program financed in whole or in part with Federal funds.

- Title 38:
    - Chapter 11 - Compensation for Service-Connected Disability or Death
    - Chapter 13 - Dependency and Indemnity Compensation for Service-Connected Deaths
    - Chapter 30 - All-Volunteer Force Educational Assistance Program
    - Chapter 31 - Training and Rehabilitation for Veterans with Service-Connected Disabilities
    - Chapter 35 - Survivors' and Dependents' Educational Assistance
    - Chapter 36 – Administration of Educational Benefits
  - US Code: Title 10, Chapter 106 – Educational Assistance for Members of the Selected Reserve
- 
- **Federal non-cash benefits such as:** Medicare, Medicaid, food stamps, school lunches, and housing assistance;
  - **Assets drawn down as withdrawals from a bank;**
  - **Public Assistance payments:** Payments received under Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), General Assistance (GA), Refugee Cash Assistance (RCA);
  - **One time cash payment, which includes:** tax refunds; loans, which are debt and not income; one-time insurance payments or compensation for injury; gifts and lump sum inheritances;
  - **Job Corps payments;**
  - **Cash value of employer-paid or union-paid portion or health insurance or other employee fringe benefit;**
  - **Cash value of food or housing received in lieu of wages;**
  - **Payments received under the Trade Readjustment Act of 1974;**
  - **Needs-based scholarship assistance;**
  - **Financial assistance under Title IV of the Higher Education Act:** i.e. PELL Grants, BEOG Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS, Stafford, and Perkins loans like any other kind of loan are debt and not income;
  - **Stipends received in the following programs:** VISTA, Peace Corps, Foster Grandparents Program, Retired Senior Volunteer Program; Youth Works/Americorps Program;
  - **Foster child care payments; and**
  - **All WIA payments except OJT.**

**Note: When a federal statute specifically provides that income or payments received under such statute shall be excluded in determining eligibility for the level of benefits received under any other federal statute, such income or payments shall be excluded in WIA eligibility determination.**

**Low Income Individual:** The term “low-income individual” means an individual who:

- (A) Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;
- (B) Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of:
  - 1. The poverty line, for an equivalent period; or
  - 2. 70 percent of the lower living standard income level, for an equivalent period.
- (C) Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.);
- (D) Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. § 11302);
- (E) Is a foster child on behalf of whom State or local government payments are made; or
- (F) In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in (A) or (B), but who is a member of a family whose income does not meet such requirements.

**Attachment B.**

**Excerpts from OETI #06-2006, Change 1**

Attachment A of OETI #06-2006, Change 1, prescribes the correct process for validating an individual's status in terms of the following criteria:

- Veteran or Other Eligible;
- Low Income;
- Temporary Assistance to Needy Families (TANF);
- Other Public Assistance; and
- Other Items.

Relevant portions of OETI #06-2006, Change 1 are reproduced on the following pages. Attachment A describes the validation methods that must be used to properly document the factors that are relevant to an individual customer's Priority Status. The attachment also describes the Acceptable Source Documents that may be used to validate the customer's priority criteria. Additionally, OETI #06-2006, Change 1, provides instructions on record-keeping.

Three Pages follow.

Eligibility/ Validation Criteria	Program	Eligibility/Validation Requirements	Validation Method and OSL Documentation Required	Acceptable Source Documents
<p><b>Low Income</b></p> <p><b>Only if Local Area has established a “priority of service” policy</b></p> <p>If the local board determines funds for the WIA Adult program are limited, then <i>intensive and training services</i> must be prioritized for recipients of public assistance and other low-income individuals.</p> <p><b>Note:</b> that the LWIB can differentiate between Intensive &amp; Training Services.</p>	<p><b>Adult</b></p> <p>Prior to 1<sup>st</sup> staff assisted intensive service</p>	<p>“Low Income Individual” Definition</p> <p>An individual who—</p> <p>(A) receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program;</p> <p>(B) received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of UI compensation, child support payments, payments described in subparagraph (A) , and old-age and survivors insurance benefits received under section 202 of the SS Act that, in relation to family size, does not exceed the higher of—</p> <p>(i) the poverty line, for an equivalent period; or</p> <p>(ii) 70 percent of the lower living standard income level, for an equivalent period;</p> <p>(C) Is a member of a household that receives (or has been determined within the 6-month period prior to application for the program involved to be eligible to receive) food stamps pursuant to the Food Stamp Act of 1977;</p> <p>(D) Qualifies as a homeless individual, as defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act;</p> <p>(E) Is a foster child on behalf of whom State or local government payments are made; or</p> <p>(F) In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirements of a program described in subparagraph (A) or (B), but who is a member of a family whose income does not meet such requirements.</p>	<p>Verification of the individual's low income status is required using an acceptable source document. When verified, staff must:</p> <ol style="list-style-type: none"> <li>Record and/or verify the individual's “Low Income” status in the OSL Universal Demographic screen; and</li> <li>Record <b>OSL Program Case Notes:</b> <ul style="list-style-type: none"> <li>Eligibility Criteria being validated (e.g., low income)</li> <li>Date the verification occurred;</li> <li>Source document used; and</li> </ul> </li> </ol> <p><b>NOTE: Paper documentation must also be kept in the participant’s paper case file at the point the LWIB has determined priority of service.</b></p> <p><i>Example:</i> Low-Income Verified 10/01/2007 Food Stamp Record</p>	<ul style="list-style-type: none"> <li>Public Assistance Records</li> <li>Compensation Award Letter</li> <li>Bank Statements</li> <li>Award Letter from Veterans Administration</li> <li>Social Security Benefits</li> <li>Housing Authority Records</li> <li>Pay Stubs</li> <li>Family or Business Financial Records</li> <li>Employer Statement</li> <li>Quarterly Estimated Tax for Self-Employed Person</li> <li>Current Unemployment Insurance Verification</li> <li>Alimony Agreement</li> <li>Written Applicant Statement</li> </ul>

Eligibility / Validation Criteria	Program	Eligibility / Validation Requirements	Validation Method and OSL Documentation Required	Allowable Source or Source Documents
Temporary Assistance to Needy Families (TANF)	WIA Adult / DLW Prior to 1 <sup>st</sup> staff assisted service	Participants, who were referred by the TANF agency, participated in the TANF assessment program as a requirement prior to opening a TANF grant, and who received support services from the TANF agency.	Verify that the participant is a TANF program recipient. When verified, staff must: <ul style="list-style-type: none"> <li>Record and/or verify "TANF" status in the OSL Universal Demographic screen</li> </ul>	<ul style="list-style-type: none"> <li>Self Attestation</li> </ul>
Other Public Assistance	WIA Adult / DLW Prior to 1 <sup>st</sup> staff assisted service	Participants that are receiving cash assistance from one of the following: <ul style="list-style-type: none"> <li>General Assistance (GA) (State/local government);</li> <li>Refugee Cash Assistance (RCA); or</li> <li>Supplemental Security Income (SSI-SSA Title XVI)</li> <li>Other Public Assistance</li> </ul>	Verification that the participant is a General Assistance program recipient using an acceptable source document. When verified, staff must: <ol style="list-style-type: none"> <li>Record and/or verify "General Assistance" status in the OSL Universal Demographic screen; and</li> <li>Record OSL Program Case Notes: <ul style="list-style-type: none"> <li>Eligibility Criteria being validated (e.g., TANF);</li> <li>Date the verification occurred; and</li> <li>Source document used</li> </ul> </li> </ol>	<ul style="list-style-type: none"> <li>Copy of Authorization to Receive Cash Public Assistance</li> <li>Copy of Public Assistance Check</li> <li>Medical Card Showing Cash Grant Status</li> <li>Public Assistance Records/Printout</li> <li>Refugee Assistance Records</li> <li>Cross-match with public assistance database</li> </ul>

Eligibility / Validation Criteria	Program	Eligibility / Validation Requirements	Validation Method and OSL Documentation Required	Allowable Source
<p><b>Veteran, Other Eligible or Transitioning Service Member</b></p>	<p><b>VETS</b> Prior to 1<sup>st</sup> staff assisted service</p>	<p>Eligibility for the VETS program is self-identification as a:</p> <ol style="list-style-type: none"> <li>1. Veteran or Other Eligible, or</li> <li>2. Transitioning Service Member</li> </ol> <p>A Veteran or Other Eligible means a person who self-identifies as any one of the following:</p> <ol style="list-style-type: none"> <li>a. Served on active duty for a period of more than 180 days and was discharged or released with other than a dishonorable discharge;</li> <li>b. Discharged or released from active duty because of a service-connected disability, injury or illness (does not have to meet the 180 day rule); or</li> <li>c. Served as a member of a reserve component under an order to active duty, served on active duty for any length of time during a period of war or in a campaign or expedition for which a campaign badge is authorized and was discharged or released from such duty with an other than dishonorable discharge; or</li> <li>d. Any other "Eligible Person" – A person who is the spouse of: (a) any person who died of a service-connected disability; (b) any member of the Armed Forces serving on active duty who, at the time of application, is listed by the Secretary concerned in one or more of the 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; or (c) any person who has a total disability permanent in nature resulting from a service-connected disability or who died while a disability so evaluated was in existence.</li> </ol> <p>Transitioning Service Member – A participant who self-identifies as a service member in active duty status (including separation leave) who participates in employment services and is within 24 months of retirement or 12 months of separation.</p>	<p>Verify individuals vet status information at the time of registration.</p> <p>For participants who self-identify as Veteran, Other Eligible or Transitioning Service Member, staff must:</p> <ol style="list-style-type: none"> <li>1. Record and/or verify the "Vet" status in the OSL Universal Demographic screen.</li> </ol>	<ul style="list-style-type: none"> <li>• Self-identification</li> </ul>

**Attachment C.**

**Guidance on Determining Family Size and Income**

When documenting “Low Income” status, it is often necessary to review a customer’s family income in relation to family size. Then, a comparison must be made to either:

- The Poverty Income Level; or
- 70% of the Lower Living Standard Income Level (LLISL).

Family size must be determined first. Then, income must be documented using one of the acceptable source documents described in OETI #06-2006, Change 1, Attachment A.

**1. Definition of “Family.”**

To determine family size, please refer to the definition given in OETI #15-2009.

**2. Definition of “Family Income.”**

Use the definition of Family Income that is given in OETI #15-2009.

**3. Documenting “Low Income” Status based on Family Size / Income.**

To document a customer’s “Low Income” status based on family size and family income, two steps are required. First, a Participant Statement of Family Size / Income must be completed. The Participant Statement must be prepared and signed by the customer, relying on instructions and guidance from a qualified professional staff member of the Workforce Oklahoma system. Then, a Low Income Determination Worksheet must be completed by a qualified Workforce Oklahoma professional. The worksheet will serve to document the customer’s family size and income in comparison to the relevant income standard – that is, the Poverty Income Level or the 70% LLSIL level.

- (a) Participant Statement.** The Participant Statement is intended to offer the customer an easy method for describing his/her “Low Income” status by submitting a signed statement summarizing the facts of his/her family size and income. A copy of the Participant Statement is reproduced on the following page.

The information given in the Participant Statement provides the basis for making a determination of whether or not the customer meets the definition of “Low Income Individual,” based on family size and income, as given in paragraph (B) of Section 101(25) of the Workforce Investment Act. The customer satisfies the criteria of paragraph (B) if it can be shown that s/he:

# Participant Statement of Family Size / Income



Identifying Information	
Participant's Name _____	_____
Last	First MI
Participant ID Number _____	Enrollment Date: _____

## I HEREBY CERTIFY THAT THE FOLLOWING INFORMATION IS TRUE:

### Family Size:

I have a disability which qualifies for special treatment of my family income ... ..  YES  NO

On the Enrollment Date shown above, the number of people in my family was ... .. \_\_\_\_\_  
*Husband, Wife, Dependent Children\**

### Family Income:

During the 6-month period prior to the Enrollment Date shown above, my family's countable income was ... .. \$ \_\_\_\_\_

*\* NOTE: Refer to Priority Guidelines for a complete definition of the term, "Family Size."*

Additional Documentation Attached?  Yes No

If so, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I attest that the information stated above is true and accurate, and I understand that the above information, if misrepresented or incomplete, may be grounds for immediate suspension of services and/or penalties as specified by law.**

\_\_\_\_\_  
PARTICIPANT SIGNATURE and DATE

\_\_\_\_\_  
PARTICIPANT PHONE NUMBER

\_\_\_\_\_  
PARTICIPANT ADDRESS

CERTIFICATION
I certify that the information recorded on this form was provided by the individual whose signature appears above.
Counselor's Signature/Date: _____

*Revised – November 9, 2009*

*(B) Received an income, or is a member of a family that received a total family income, for the 6-month period prior to application for the program involved (exclusive of unemployment compensation, child support payments, payments described in subparagraph (A), and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that, in relation to family size, does not exceed the higher of--*

*(i) the poverty line, for an equivalent period; or*

*(ii) 70 percent of the lower living standard income level, for an equivalent period.*

The Participant Statement is considered to be complete after the customer has signed the form attesting to the truthfulness of the information provided. Additional relevant information in support of the participant's statement may be attached, but are not required. As described in OETI #06-2006, Change 1, the following types of records are "Acceptable Source Documents" which may be collected and added to the participant case file:

- *Public Assistance Records*
- *Compensation Award Letter*
- *Bank Statements*
- *Award Letter from Veterans Administration*
- *Social Security Benefits*
- *Housing Authority Records*
- *Pay Stubs*
- *Family or Business Financial Records*
- *Employer Statement*
- *Quarterly Estimated Tax for Self-Employed Person*
- *Current Unemployment Insurance Verification*
- *Alimony Agreement*

**(b) Low Income Determination Worksheet.** To further document this determination, the Low Income Determination Worksheet must be completed by a qualified Workforce Oklahoma professional.

A copy of the worksheet appears on the following page. The worksheet allows the Workforce Oklahoma professional to make an accurate determination of the participant's Low Income status by making a simple comparison to the low income threshold level described in paragraph (B) of Section 101(25) of the Workforce Investment Act.

The worksheet provides a place to re-state the participant's Family Size and Family Income (from the Participant Statement of Family Size / Income). Then,

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# Low Income Determination Worksheet



Participant's Name: \_\_\_\_\_

Participant ID Number: \_\_\_\_\_

County of Residence: \_\_\_\_\_

County Type: \_\_\_METRO; \_\_\_NON-METRO

Family Income: \_\_\_\_\_

*(From the Participant Statement of Family Size / Income)*

Family Size: \_\_\_\_\_

*(From the Participant Statement of Family Size / Income)*

Low Income Threshold ...	Income Standard for Comparison
<b>Poverty Guideline:</b> _____ (for the Family Size of this participant)	} <input type="text"/> <i>The Higher of the Poverty Level or 70% LLSIL</i>
<b>70% LLSIL Level:</b> _____ (for Family Size and County Type)	

## Determination--

The participant's income, as stated, is:

\_\_\_ **Below the Low Income Threshold; or**

*(The participant may be treated as a Low-Income Individual)*

\_\_\_ **Above the Low Income Threshold.**

*(The participant is NOT a Low-Income Individual)*

## Basis:

This determination is based on Family Size / Income reported as of the participant's Enrollment Date.

The determination relies on Poverty Guidelines published on this date: \_\_\_\_\_.

The determination relies on 70% LLSIL Levels effective on this date: \_\_\_\_\_.

## Certification.

I certify that the determination that appears on this form was made based on information provided to me by the participant. This determination conforms to rules published by the COWIB.

Signature / Date: \_\_\_\_\_

*Workforce Oklahoma Professional*

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*Revised – November 9, 2009*

the Workforce Oklahoma Professional must record the Low Income Threshold level that is appropriate for the customer's family size and county of residence.

**Threshold Level.** As described in Section 101(25)(B) of WIA, the threshold level for Low Income Status is defined by the higher of:

- The Poverty Income Level; or
- The 70% Lower Living Standard Income Level.

To find these levels, the Workforce Oklahoma Professional should consult the most recent issuance from the Oklahoma Employment Security Commission on the subject of "HHS Poverty Income Guidelines and the 70% and 100% Lower Living Standard Income Levels." An updated issuance is published on an annual basis. (See next page).

The levels vary according to family size, and the 70% LLSIL level reflects differences between Metro and Non-Metro counties. Therefore, it is important to find the correct Threshold Level to properly compare to the participant's Family Income level.

Next, the Workforce Oklahoma Professional must make a comparison between the Threshold Level and the participant's Family Income. The comparison leads logically to a determination which is recorded on the worksheet.

The worksheet is complete after the Workforce Oklahoma Professional signs the certification at the bottom of the worksheet affirming that the correct determination has been made, based on information provided by the participant.

# 2009-b

## Poverty Income Guidelines 70% Lower Living Standard Income Levels

100% LLSIL for Determining Self-Sufficiency for Oklahoma

Health and Human Services Poverty Guidelines Published January 23, 2009

Department of Labor's 70% and 100% LLSIL Effective March 26, 2009

Size Of Family	2009 HHS Poverty Guidelines	2008 Metro 70% LLSIL	2008 Non-Metro 70% LLSIL	100% LLSIL Self-Sufficiency	
				Metro	Non-Metro
1	\$ 10,830	\$ 8,104	\$ 7,815	\$ 11,577	\$ 11,164
2	\$ 14,570	\$ 13,278	\$ 12,802	\$ 18,969	\$ 18,289
3	\$ 18,310	\$ 18,225	\$ 17,571	\$ 26,036	\$ 25,101
4	\$ 22,050	\$ 22,500	\$ 21,690	\$ 32,143	\$ 30,986
5	\$ 25,790	\$ 26,556	\$ 25,597	\$ 37,937	\$ 36,567
6	\$ 29,530	\$ 31,058	\$ 29,935	\$ 44,369	\$ 42,764
7	\$ 33,270	\$ 35,560	\$ 34,273	\$ 50,801	\$ 48,961
8	\$ 37,010	\$ 40,062	\$ 38,611	\$ 57,233	\$ 55,158
For each additional family member add	\$ 3,740	\$ 4,502	\$ 4,338	\$ 6,432	\$ 6,197

**INSTRUCTIONS:** Use the above tables to determine economically disadvantaged status according to family size. Compare the family income to the HHS Poverty Guidelines or the 70% LLSIL, whichever is greater.

**METRO COUNTIES INCLUDE:** *Canadian*, Cleveland, Comanche, Creek, Garfield, Logan, McClain, *Oklahoma*, Osage, Pottawatomie, Rogers, Sequoyah, Tulsa, and Wagoner.