



**CENTRAL OKLAHOMA**  
**WORKFORCE INNOVATION BOARD**  
A proud partner of the americanjobcenter network

## Priority of Service

***Pursuant to WIOA 134(c)(3)(E)***

**Approved and Published: April 2025**

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*The Central Oklahoma Workforce Innovation Board (COWIB) is the policy and guidance board for the Oklahoma Works-American Job Center system in Central Oklahoma. We are business leaders with a goal to establish a highly skilled, productive workforce in our 9-county area.*

*The Central Oklahoma Workforce Innovation Board (COWIB) complies with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, the basis of citizenship status or participation in a WIOA Title-1 financially assisted program or activity.*

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### Purpose

This issuance provides guidance and procedures for the administration and oversight of Priority of Services. It is the intention of COWIB that this document conforms to the pertinent legislation, regulation, state issued policies, and the Board's intent to provide quality customer services. Review of this policy and subsequent revisions may be necessitated as a result of changes or additions to current Federal or State guidance.

### Authority

The authority for this policy is derived from the following:

- WIOA 134(c)(3)(E)
- CFR 680.600 through .660
- TEGL 07-20
- WSD# 80-2024 Adult & Dislocated Worker Programs Under WIOA

### Definitions

#### Low-Income Individual (as defined in WIOA Section 3(36))

(A) In General. –The term “low-income individual” means an individual who—

- (i) Receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the program of block grants to States for temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), or the supplemental security income program established under title XVI of the Social Security Act (42 U.S.C. 1381 et seq.), or State or local income-based public assistance.
- (ii) Is in a family with total family income that does not exceed the higher of—
  - (I) The poverty line; or
  - (II) 70 percent of the lower living standard income level;
- (iii) Is a homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or a homeless child or youth (as defined under section 425(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
- (iv) Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);
- (v) Is a foster child on behalf of whom State or local government payments are made; or
- (vi) Is an individual with a disability whose own income meets the income requirement of clause (ii), but who is a member of a family whose income does not meet this requirement.

(B) Lower Living Standard Income Level. – The term “lower living standard income level”

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means that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary of Labor based on the most recent lower living family budget issued by the Secretary.

### Basic Skills Deficient (as defined in WIOA 3(5))

Basic Skills Deficient. –The term “basic skills deficient” means, with respect to an individual—

- (A) Who is a youth, that the individual has English reading, writing, or computing skills at or below the 8<sup>th</sup> grade level on a generally accepted standardized test; or
- (B) Who is a youth or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society.

### Statutory Priority for Adult Funds

Section 134(c)(3)(E) of the Workforce Innovation and Opportunity Act (WIOA) establishes a priority of services requirement with respect to funds allocated to a local area for adult employment and training activities. According to WSD# 80-2024 when using WIOA Adult funds to provide individualized career services and/or training services, Oklahoma Works- American Job Center staff must give priority to public assistance recipients, other low-income individuals (as defined in WIOA Section 3(36)), and individuals who are basic skills deficient (as defined in WIOA 3(5)). English language learners meet the criteria for “basic skills deficient” and must be included in the priority populations for the title I Adult program. Under WIOA, priority of service must be implemented regardless of the level of funds available to provide services in the local area.

The priority established in the previous paragraph does not necessarily mean that these services may only be provided to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient. COWIB has established a written policy and procedures to ensure priority for the populations described in the paragraph above, for participants served in the WIOA Adult program.

Under WIOA, there is no exclusion of payments for unemployment compensation, child support payments, and old-age survivors’ insurance benefits from the income calculations for determining if an individual is low-income. These exclusions, which were previously provided under WIA sec. 101(25), no longer apply.

### Veterans and Adult Priority

Veterans and eligible spouses continue to receive priority of service for all DOL-funded employment training programs, which include WIOA programs. As for the DLW program, the only priority of service is the veteran’s priority of service. A veteran must, however, meet each program’s eligibility criteria to receive services under the respective employment and training program. For income-based eligibility determinations and for determining priority of service, military pay or allowances paid while on active

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duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs are not to be considered as income, in accordance with 38 U.S.C. 4213 and 20 CFR § 683.230.

When past income is an eligibility determinant for any Federal employment or training program, including the title I Adult and DLW 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 in making an eligibility determination. This applies to the veteran and to other individuals for whom those amounts would normally be applied, e.g., the military spouse. Military earnings are not to be included when calculating income for veterans or transitioning service members for priority of service, in accordance with 38 U.S.C. 4213.

To further clarify, VA benefits for education and training services do not constitute “other grant assistance” under WIOA’s eligibility requirements. Therefore, eligibility for VA benefits for education or training services do not preclude a veteran or the veteran’s eligible spouse from receiving WIOA funded services, including training funds. Similarly, WIOA program operators may not require veterans or spouses to exhaust their entitlement to VA funded training benefits prior to allowing them to enroll in WIOA funded training.

Due to the statutorily required priority for Adult funds, priority must be provided in the following order:

- **Priority 1:** Veterans and eligible spouses who are also included in the groups given statutory priority for WIOA Adult formula funding. This means that veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient receive first priority for services provided with WIOA Adult formula funds for individualized career services and training services.
- **Priority 2:** Non-covered persons (i.e., individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA Adult formula funds—recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.
- **Priority 3:** Veterans and eligible spouses who are not included in WIOA’s priority groups.
- **Priority 4:** Priority populations established by the LWDB.
- **Priority 5:** Non-covered persons outside the groups given priority under WIOA. This priority includes individuals with barriers to employment (Special Populations under WIOA). Approval must be given by the COWIB CEO or designated staff prior to enrollment.

(See Attachment 1 for the Priority Ranking Worksheet)

### Priority Populations Established by COWIB (Priority 4)

In alignment with the Workforce Innovation and Opportunity Act (WIOA) and the strategic goals of the Central Oklahoma Workforce Innovation Board (COWIB), Priority 4 has been established to ensure that individuals facing economic challenges but not otherwise covered under federal or state priority definitions are still able to access high-quality workforce services that lead to sustainable employment.

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Priority 4 shall be granted to individuals who meet both of the following criteria:

1. **Economic Need:** The individual has earned less than the LWDB-established self-sufficiency wage for the area during the six (6) months immediately preceding program application or eligibility determination.

AND

2. **Targeted Career Pathway or Training Participation:** The individual must also meet one of the following:
  - a. Has demonstrated a clear interest in pursuing a career pathway in the Healthcare Industry, as documented through career assessments, case notes, or training applications. Examples include a CNA (Certified Nursing Assistant)/CMA (Certified Medication Aide) interested in furthering their training to LPN (Licensed Practical Nurse) or an LPN wanting to continue on to obtain their RN (Registered Nurse).
  - b. Has been approved as an On-the-Job Training (OJT) candidate by the COWIB or its designated staff.
  - c. A candidate for a Registered Apprenticeship program, with documentation from the sponsoring employer or apprenticeship training provider.

This locally defined priority group has been established to support individuals with immediate economic need who are also positioned to benefit from high-growth, high-demand career opportunities, particularly those aligned with regional industry needs.

Individuals in Priority 4 will be served after those who meet federal and state-mandated priorities (e.g., veterans, low-income, basic skills deficient, public assistance recipients) but may be considered for training and individualized career services when funding is available and when doing so supports regional workforce and economic development goals. Approval must be given by the COWIB CEO or designated staff prior to enrollment.

### Special Populations under WIOA

According to WSD# 80-2024 across all titles, WIOA focuses on serving individuals with barriers to employment and seeks to ensure access to quality services for these populations. Priority and special populations for the Adult and DLW programs are addressed at 20 CFR §§ 680.600 through .660.

The term “individual with a barrier to employment” means a member of one or more of the following Statutory Priority and Special Populations for Adult Programs:

- Low-income individuals;
- Individuals who are:
  - English language learners (29 USC 3272(7)),
  - Individuals who have low levels of literacy, and
  - Individuals facing substantial cultural barriers;
- Indigenous Americans, including individuals who identify as Native Americans or American Indians, Alaska Natives, and Native Hawaiians;

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- Individuals with disabilities, including youth who are individuals with disabilities (as defined in sec. 3 of the Americans with Disabilities Act of 1990 (42 USC 12102) and individuals who are in receipt of Social Security Disability Insurance);
- Older individuals, defined as individuals who are age 55 and older;
- Ex-offenders;
- Homeless individuals (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), or homeless children and youths (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)));
- Eligible migrant and seasonal farmworkers (as defined in WIOA 167(i)(1-3));
- Individuals within two years of exhausting lifetime TANF eligibility;
- Single parents (including single pregnant women);
- Long-term unemployed individuals (unemployed for 27 or more consecutive weeks); and
- Displaced homemakers

The WIOA focus on serving specific vulnerable adult populations (i.e., individuals with barriers to employment) requires the local areas to document in the individual employment plan (IEP) each of the barriers reported in the demographics section of the virtual case management system, as well as those addressed verbally during client contact. The IEP must also document steps taken to resolve the barriers, progress toward barrier removal, and indicate when the barrier has been resolved or removed.

## Local Policy

### Local Implementation of Federal Guidelines

The Local Workforce Development Board (LWDB) is committed to serving individuals with barriers to employment, in alignment with the Workforce Innovation and Opportunity Act (WIOA) and federal expectations. In accordance with WIOA Sec. 3(24) and federal guidance, the LWDB ensures that a significant portion of its WIOA Adult program resources are directed toward individuals who are most in need and who face barriers to sustained employment and self-sufficiency.

WIOA requires that priority for individualized career and training services under the WIOA Adult program be given to individuals who are recipients of public assistance, low-income individuals, and/ or basic skills deficient.

Additionally, veterans and eligible spouses receive priority of service in accordance with the Jobs for Veterans Act and WIOA regulations.

To fulfill this requirement and reflect the LWDB's commitment to equity and service to the most in-need populations, the LWDB establishes a local policy that requires at least 75% of all WIOA Adult participants receiving individualized career or training services to fall within one or more of the priority categories listed above.

This local threshold exceeds the minimum expectations set forth by the U.S. Department of Labor's Employment and Training Administration (ETA), which anticipates that states achieve at least a 75% rate and no lower than 50.1% under any circumstance.

### Identification of Covered Persons at the Point of Entry

At COWIB, we will identify covered persons at the point of entry to our programs and 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 Navigator (or receptionist or other staff person working 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.

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;
- 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 Navigator 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 or 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. Is married to any veteran who has a total disability resulting from a service-connected disability.

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- 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 Navigator 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.

### Explaining Priority of Service

If the customer identifies him/herself as a “covered person,” then the staff must promptly advise the individual that they are considered to be a Jobs For Veterans priority customer of the Oklahoma Works-American Job Center 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 participant is entitled to priority treatment over non-covered customers in the delivery of Services;
2. This explanation is being offered to the participant so that they may take the fullest advantage of their status as a priority customer;
3. There are additional eligibility requirements that must be met in order to access the full array of services offered by our system.

### Delivering Services to Priority Customers

After a Jobs For Veterans Priority Customer has been identified at the point of entry, the staff member may proceed to offer the normal services that are usually available to Oklahoma Works- American Job Center customers.

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.

This Priority Treatment system for covered customers is not intended to completely replace the usual rule for delivering 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

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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 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.

### Priority of Service Guidelines for Training Services

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, an Oklahoma Works- American Job Center staff professional must collect and review documentary evidence to verify the customer's unique circumstances. A case file must be opened, and appropriate documentation must be saved in the customer's file.

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

A customer must meet a certain threshold of need before s/he may receive Training Services. Training Services may be offered to Adults and Dislocated Workers in accordance with WIOA §134(b)(3)(A)(i)—

- (I) Who, after an interview, evaluation, or assessment, and career planning, have been determined by staff as appropriate to—
  - (aa) Be unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through the career services described in paragraph (2)(A)(xii);
  - (bb) Be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
  - (cc) Have the skills and qualification to successfully participate in the selected program of training services.
- (II) Who select programs of training services that are directly linked to the employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate;
- (III) Who meet the requirements of subparagraph (B); and
- (IV) Who are determined to be eligible in accordance with the priority system in effect under subparagraph (E).

### Procedures for the Delivery of Training Services

- Eligible participants must be ranked in terms of the Priority Group of each participant, with Priority Group "1" participants at the top of the list and Priority Group "5" participants at the

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bottom of the list.

- If two or more equally-ranked participants are available for enrollment into a Training activity, the One-Stop Operator, in conjunction with the Service Provider, 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. An unbiased random selection process may be used.

### **Equal Opportunity and Nondiscrimination Statement**

All Recipients, and Sub-recipients / Sub-grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

### **Addenda / Revisions**

The COWIB Chief Executive Officer is authorized to issue additional instructions, guidance, approvals, and/or forms to further implement the requirements of policy, without making substantive change to the policy, except in situations when a new or updated state and federal guidance is issued.

## Priority Ranking Worksheet

### For Adult Customers Seeking Individualized Career Services And/or Training Services

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

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

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

#### Priority Rank (check one):

1. ☐ JFV Covered & "WIOA Priority"
2. ☐ "WIOA Priority" only
3. ☐ "JFV", not in WIOA Priority Group
4. ☐ LWDB Priority Population
5. ☐ Neither "JFV" nor "WIOA Priority"

#### DOCUMENTATION:

**(1) JFV Covered.** To document that this customer is a Veteran or a Covered Spouse under the Jobs for Veterans Act, an Oklahoma Works- American Job Center staff professional must validate the following statement with appropriate documentation:

**The case management system record for this individual shows that they are a Veteran or an "Other Eligible" person.**

☐ YES  
☐ NO

**(2) "WIOA Priority"** To verify that this person is a "WIOA Priority" customer, additional documentation must be reviewed and validated. Use the COWIB's Memo on "Priority of Service and Special Populations" to document that the customer meets the definition of:

**Public Assistance Recipient** ☐ YES  
**OR Low-Income Individual** ☐ NO  
**OR Basic Skills Deficient**

#### CERTIFICATION:

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

\_\_\_\_\_  
Career Navigator

\_\_\_\_\_  
Date

Additional Instructions.

Circle the correct Priority Rank number for this customer. Use this Priority Rank number when referring the customer to an individualized Career Service or a Training Service

Priority Rank				
			Requires Board Approval	
1	2	3	4	5

For customers in Priority Rank 1 or Priority Rank 2, enter appropriate documentation in the participant record.