

I. BACKGROUND:

- a. President Barack Obama signed the Workforce Innovation and Opportunity Act (WIOA) into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy.
- b. Section 134(c)(3)(E) of the Workforce Innovation and Opportunity Act stipulates that recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient are given priority to receive services. NPRM Subpart E - Priority and Special Populations states that WIOA allows one-stop operators to provide individualized career services to individuals who are not members of these groups, if determined appropriate by the one-stop operator.
- c. TEGL 3-15 section 6 states that Individuals who meet the definition of an individual with a barrier to employment (see WIOA sec. 3(24)) who are underemployed may also be served in the Adult program.
- d. In the absence of additional state or federal instructions, this policy will establish a priority system that gives priority to these groups while maintaining an opportunity for Career Services to other eligible adults.

II. PURPOSE:

- a. This policy will establish guidelines to ensure recipients of public assistance, other low income individuals, and individuals who are basic skills deficient are given priority to receive services under the Workforce Innovation and Opportunity Act. Such guidelines will be consistent with WIOA Section 134(c)(3)(E) and shall allow for services to other unemployed or underemployed individuals who have at least one (1) barrier to employment.

III. INSTRUCTIONS:

- a. Waivers to this policy may be granted on a case-by-case basis subject to the approval of the Executive Director of Southern Middle, or their proxy. In such instances, a written justification outlining the circumstances shall be required. All waivers shall be reported to the appropriate committee of the Local Workforce Southern Middle Tennessee Board. Upon execution of this policy, SMTLWB staff should ensure that participants are made aware of these new guidelines. Nothing in this policy shall constitute a right for any individual to receive services. Upon execution of this policy, the following guidelines will apply to services for adult participants:

i. Eligibility

Basic Career Services will be made available to all job seekers without priority.

- To be eligible to receive WIOA Adult Individual Career or Training services, an individual must be all of the following:
- 18 years of age or older;
- Citizen or noncitizen authorized to work in the United States; and
- Meet Military Selective Service registration requirements (males only)

AND

- Be a member of at least one of the following groups:
- Recipients of Public Assistance
- Low-Income
- Basic Skills Deficient
- Unemployed with at least one barrier to employment
- Underemployed with at least one barrier to employment. **These may include:**
 - **Individuals employed less than full-time who are seeking full-time employment;**
 - **Individuals who are employed in a position that is inadequate with respect to their skills and training;**
 - **Individuals who are employed who meet the definition of a low-income individual in WIOA sec. 3(36); and**
 - **Individuals who are employed, but whose current job's earnings are not sufficient compared to their previous job's earnings from their previous employment, per State and/or local policy**

ii. Priority

Veterans and eligible spouses receive priority of service under WIOA programs. However, WIOA statutorily requires that recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient are given priority to receive services. Therefore, priority must be provided in the following order:

- First, to veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
- Second, to non-veterans and eligible spouses who are recipients of public assistance, other low-income individuals, or individuals who are basic skills deficient.
- Third, to veterans and eligible spouses who are unemployed or underemployed and have at least one barrier to employment
- Last, to non-veterans and eligible spouses who are unemployed or underemployed and have at least one barrier to employment

IV. GRANDFATHER CLAUSE:

- a. Customers who have submitted training applications prior to the execution of this policy shall not be affected by its terms and conditions.

VI. ITA COORDINATION (Board Scholarships):

- a. This policy does not change, modify, or set aside any other policies or procedures regarding the issuance of Individual Training Accounts. All limitations and restrictions for the award of an Individual Training Account shall be done under existing Board policy. This policy is intended to address only the priority of services to adults.

VII. CONTACT:

- a. Questions concerning the above may be addressed to the Executive Director, Southern Middle, or their proxy.

VIII. EFFECTIVE DATE:

- a. This policy is effective as of January 31, 2019 and will remain in effect until amended, modified, or set aside by the Southern Middle Tennessee Local Workforce Board.

Title: SMTLWB Policy

Effective Date: January 31st, 2019

Duration: Indefinite

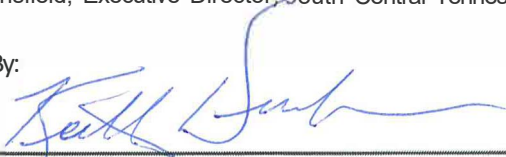
Authorized By:



Jerry Mansfield, Executive Director, South Central Tennessee Development District

Date

Approved By:



12/21/2018

Keith Durham, Board Chair, Southern Middle Tennessee Local Workforce Board

Date