

Veterans' Priority of Service for Covered Persons in Qualified USDOL Job Training Programs Policy

Effective Date: 03/12/2020

Background:

Veterans and eligible spouses (Covered Persons) are given priority of service for the receipt of employment, training and placement services provided under all US Department of Labor (USDOL)-funded programs. This means that Covered Persons either receive access to a service earlier than others, or if resources are limited, the Covered Persons receive access to the service instead of others.

Policy:

It is the responsibility of the Workforce Development Board of Rockland County and its subcontractors to ensure that this policy is available online wherever USDOL funding services are available and prominently posted at the entrance of service centers so that veteran status can be determined and documented as soon as possible. Language alerting users to veterans' priority of service will also need to be included in any self-registration process.

It is strongly advised that the placement of additional signage be strategic and in high traffic areas throughout the center, such as resource rooms and common waiting areas. If the Career Center needs to order more signage, it should be requested through Ask.vets@labor.ny.gov.

It is the responsibility of the Career Center manager to establish customized processes for providing veteran's priority of service. The process is expected to be consistent at providing priority of service for the use of self-service resources and staff assisted services

Eligibility:

Veteran/Covered Person: A person who served **active duty** and was separated with any discharge type except dishonorable. This definition includes Federal activation of a **reserve component**, other than **active duty for training**.

- a) **Active duty:** Full-time duty in the United States **armed forces**, other than **active duty for training**.
- b) **Armed Forces:** U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard, including their **reserve component**.
- c) **Active Duty for Training:** Full-time duty in the **armed forces** performed by a **reserve component** (i.e. basic training, military job training, drill weekends, annual two-week drill, etc.)
- d) **Reserve Component:** Generally, perform a minimum of 39 days of **active duty for training** annually and are also referred to as the Guard or Reserves:
 - The Army Reserve;
 - The Navy Reserve;
 - The Marine Corps Reserve;
 - The Air Force Reserve;

- The Coast Guard Reserve;
- The Army National Guard of the United States;
- The Air National Guard of the United States.

Please note that the veteran definition that requires an individual to have served on **active duty** for a period of more than 180 days still applies to Wagner-Peyser reporting and to eligibility for Disabled Veteran's Outreach Program specialist services but does not apply to priority of service in DOL funded employment and training programs. It is the responsibility of the program operator to ensure that policies and procedures and staff training reflect the correct eligibility definition.

Eligible Spouse: The spouse of any of the following:

- a) any veteran who died of a service-connected disability; **or**
- b) any member of the **armed forces** serving on **active duty** who, at the time of application for priority of service, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - missing in action; **or**
 - captured in the line of duty by a hostile force; **or**
 - forcibly detained or interned in the line of duty by a foreign government or power
- c) any veteran who has a total disability, permanent in nature, resulting from a service-connected disability **or** who died while such a disability was in existence.

Note: A spouse whose eligibility is derived from a living veteran or service member would lose their eligibility if the veteran or service member was to lose the status that is the basis for the eligibility (e.g. if a veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, a spouse whose eligibility is derived from a living veteran or service member would lose that eligibility upon divorce from the veteran or service member. However, the spouse of a veteran who died of a service-connected disability or while a disability was in existence would not lose covered status through subsequent remarriage.

Service Delivery:

Priority of service means that veterans and eligible spouses are given priority for the receipt of employment, training, and placement services provided under a qualified job training program. This means that a veteran or an eligible spouse is served first by the next available staff member and given priority to any jobs or training for which they are eligible and qualified.

For a service such as classroom training, priority of service applies to the selection procedure as follow:

- First, if there is a waiting list for the formation of a training class, priority of service is intended to require a veteran or eligible spouse to go to the top of that list.
- Second, priority of service applies up to the point at which an individual is both approved for funding and accepted or enrolled in a training class. Therefore, once a non-covered person has been approved for funding and accepted/enrolled in a training class, priority of service is not intended to allow a veteran or eligible spouse who is subsequently identified to “bump” the non-covered person from that training class.

Priority of Service Verification

It is important to distinguish between identifying a veteran for priority of service and verifying a veteran's status. At the point of entry, it is neither necessary nor appropriate to require verification of the status of a veteran or eligible spouse. If an individual self-identifies as a veteran or eligible spouse at the Career Center, that individual should be provided immediate priority in the delivery of employment and training services for which they are eligible and qualified. When a veteran or eligible spouse undergoes eligibility determination for enrollment (e.g. in WIOA Adult programs), it is appropriate to initiate verification of veteran status. If a veteran or an eligible spouse, at the point of eligibility determination and enrollment, does not have documentation verifying his/her eligibility for priority of service, he/she is to be afforded access on a priority basis to all services provided by program staff (including individualized career services) while awaiting verification.

References:

Veterans' Priority of Service for Covered Persons in Qualified USDOL Job Training Programs - TEGL 10-09, TA 12-12.4, TEGL 19-16