The Workforce Innovation and Opportunity Act

Final Rule Fact Sheet

Veterans and Spouses

About WIOA

The Workforce Innovation and Opportunity Act (WIOA) is landmark legislation signed into law in July 2014 that seeks to transform the workforce system to help job seekers and workers succeed in the labor market and match employers with the skilled workforce they need to compete in the global economy. The three principles of excellence at the core of WIOA are:

- The needs of businesses and workers drive workforce solutions, and local workforce boards are accountable to communities in which they are located;
- American Job Centers (or One-Stop Centers) provide excellent customer service to job seekers and employers and focus on continuous improvement; and
- The public workforce system supports strong regional economies and plays an active role in community and workforce development.

In June 2016 the Departments of Labor, Education, and other federal partners released the WIOA Final Rules, which outline the final regulations for the implementation of WIOA. This fact sheet provides information about the final regulations related to serving veterans and their spouses.

Priority of Service for Veterans

Veterans and eligible spouses continue to receive priority of service for all DOL-funded job training programs, including WIOA programs. Priority of service is discussed in Training and Employment Guidance Letter (TEGL) 10-09. Further, representatives funded through Jobs for Veterans State Grants (JVSG), a required partner program under WIOA, are located in many AJCs. The WIOA Title I Adult program also provides priority services for public assistance recipients, other low-income individuals, or individuals who are basic skills deficient. States and local areas must apply priority of service in the order below:

- First, to veterans and eligible spouses who also are included in the groups given statutory priority for WIOA adult formula funds. This means that veterans and eligible spouses who also are recipients of public assistance, other low-income individuals*, or individuals who are basic skills deficient would receive first priority for services provided with WIOA adult formula funds.
- Second, to non-covered persons (individuals who are not veterans or eligible spouses) who are included in the groups given priority for WIOA adult formula funds.
- Third, to veterans and eligible spouses who are not included in WIOA's priority groups.
- Fourth, to any other populations identified by the Governor or Local Board for priority.
- Last, to non-covered persons outside the groups given priority under WIOA.

** **Note:** 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 for the veteran and for other individuals for whom those amounts would normally be applied in making an eligibility determination. Military earnings are not to be included when calculating income for veterans or transitioning service members for this priority.*

Learn More About WIOA

WIOA Final Rule
https://www.doleta.gov/wioa/Final_Rules_Resources.cfm

WIOA Guidance
http://wdr.doleta.gov/directives/All_WIOA_Related_Advisories.cfm

Employment & Training Administration's WIOA Resource Page https://www.doleta.gov/wioa

Overview of WIOA https://www.doleta.gov/WIOA/Overview.cfm

The WIOA Law https://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf

SERVING SEPARATING SERVICE MEMBERS AND MILITARY SPOUSES WITH DISLOCATED WORKER FUNDS

Service members exiting the military, including, but not limited to, recipients of Unemployment Compensation for Ex-Military members (UCX), generally qualify as dislocated workers.

- Dislocated Worker funds under WIOA Title I can help separating service members enter or reenter the civilian labor force. Generally a notice of separation, either a DD Form-214 from the Department of Defense or other appropriate documentation (such as separation orders) that shows a separation or imminent separation from the Armed Forces, qualifies as the notice of termination or layoff to meet the required dislocated worker definition.
- In most instances an individual will have to be eligible for or have exhausted entitlement to unemployment compensation (including UCX) in order to receive dislocated worker services. In the case of separating service members, or those on a terminal leave from the military, it may make sense to begin providing career services while the service members are still on Active Duty but have imminent separation dates.
  - It is appropriate to provide career services to separating service members who will be imminently separating from the military, provided that their discharge will be anything other than dishonorable.
  - Separating service members are required to participate in the Transition Assistance Program (TAP) in order to ensure they are prepared for civilian employment. During this program, separating service members and their spouses are encouraged to contact AJCs in the area in which they wish to seek services.

WIOA expands the definition of dislocated workers to include military spouses who have lost employment as a direct result of a relocation to accommodate a permanent change in the service member's duty station.

- Military spouses also may qualify if they are a dependent spouse of a member of the Armed Forces on active duty whose family income is significantly reduced, as determined by the State or local area, because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the service member.
- Military spouses also can qualify if they are unemployed or underemployed and are experiencing difficulty in obtaining or upgrading employment.

NATIONAL DISLOCATED WORKER GRANTS (DWG) FOR DISLOCATED SERVICE MEMBERS

DWGs provide resources to states and other eligible applicants to respond to large, unexpected layoff events causing significant job losses. This funding is intended to temporarily expand capacity to serve dislocated workers, including military service members, and meet the increased demand for WIOA employment and training services, with a purpose to reemploy laid off workers and enhance their employability and earnings.

Eligibility criteria regarding DWGs for dislocated service members can be found in Training and Employment Guidance Letter (TEGL) 02-15, Attachment II.

WIOA Implementation Technical Assistance

The Innovation and Opportunity Network (ION) is a community of practitioners, program staff, partners, planners, industry leaders, and stakeholders that strive for system improvement, capacity building, and excellence in the public workforce system. ION is a national, regional, state, and local alliance that makes available the technical assistance, information sharing, and training needed to implement the vision of WIOA. Visit ION at https://ion.workforcegps.org