

NORTH CENTRAL ARKANSAS WORKFORCE DEVELOPMENT BOARD

1652 White Drive • Batesville, AR 72501 • (870) 793-5233 • Fax (870) 793-4035

Serving the Counties of
Cleburne • Fulton • Independence • Izard • Jackson • Sharp • Stone • Van Buren • White • Woodruff

WDB Policy #: 2.11

Effective Date: 6/11/2014 (WIA)

Revision Date: 12/13/2017, 6/13/2018, 3/13/2019

SUBJECT Priority of Service – Veterans and Eligible Spouses

PURPOSE

To establish the Board's Priority of Service Policy for Veterans in the North Central Workforce Development Area.

BACKGROUND

The North Central Arkansas Workforce Development Board requires that veterans and eligible spouses receive priority of service consistent with the JVA, the Final Rule, and this policy.

Veterans and eligible spouses, including widows and widowers as defined in the statute and regulations, are eligible for priority of service.

Veteran, as specified in 38 U.S.C. 101(2), means a person who served at least one day in the active military, naval or air service, and who was discharged or released under conditions other than dishonorable. Active service includes full-time Federal service in the National Guard or a Reserve component. This definition of "active service" does not include full-time duty performed strictly for training purposes (i.e., that which often is referred to as "weekend" or "annual" training), nor does it include full-time active duty performed by National Guard personnel who are mobilized by State rather than Federal authorities (State mobilizations usually occur in response to events such as natural disasters).

Eligible spouse, as defined at § 2(a) of the JVA (38 U.S.C. 4215[a]), means the spouse of any of the following:

- Any veteran who died of a service-connected disability;
- Any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
 - a) Missing in action;
 - b) Captured in the line of the duty by a hostile force; or
 - c) Forcibly detained or interned in the line of duty by a foreign government or power;
- Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or
- Any veteran who died while a disability was in existence. A spouse whose eligibility is derived from a living veteran or service member (i.e., categories b. or c. above) would lose his or her eligibility if the veteran or service members were 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, for a spouse whose eligibility is derived from a living veteran or service member, that eligibility would be lost upon divorce from the veteran or service member.

Priority of service means that veterans and eligible spouses are given priority over non-covered persons for the receipt of employment, training, and placement services provided. The veteran or eligible spouse receives access

to the service instead of or before the non-covered person. If a non-covered person is on a waiting list, the veteran or spouse will move to the top of the list. However, a non-covered person who is currently enrolled will not be “bumped” by the covered person.

VETERAN’S PRIORITY OF SERVICES

Basic Career Services are universally accessible and must be made available to all adults seeking employment and training services.

- Veterans and eligible spouses self-identify
- No need to require additional documentation at this time
- Veterans and eligible spouses receive the first level of priority in universal access programs

Beyond universal access, enrollment in Individualized Career Services will require additional resources committed.

- For programs that cannot rely on self-attestation (e.g. classroom training), verification only needs to occur at the point at which a decision is made to commit outside resources to one individual over another.
- If determined eligible for the WIOA Title IB program, priority will be given to all veterans and eligible spouses upon receipt of required verification of status as a veteran or eligible spouse.

ACCEPTABLE DOCUMENTATION:

- DD214
- Dept. of Veterans Affairs official notice of entitlement to a disability rating or award to a qualified dependent
- Department of Defense official notice documenting eligibility of an individual, based on the missing or detained status of that individual’s active duty spouse
- State veterans’ service agency official notice that documents veteran status or spousal rights

EXCLUSIONS FOR CALCULATING ELIGIBILITY:

- Military pay or allowances of an individual who served on active duty.
- Amounts paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, compensation for service-connected disability or death, dependency and indemnity compensation for service-connected deaths, training and rehabilitation for veterans with service-connected disabilities, survivors’ and dependents’ educational assistance, and VA educational assistance from related VA-funded programs.

Note that pension payments, whether or not their retirement was based on disability, are not exempt and are to be included in “low income” calculations.

References: Jobs for Veterans Act (JVA), TEGL 10-09[20 CFR 680.650; 20 CFR 683.230; 38 U.S.C. 4213; TEGLs 10-09 & 19-16]. (See 38 U.S.C. 4213 for more information.)

Approved by the NCAWDB on March 15, 2019

NCAWDB Chair Signature: Genius Williams