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**I. APPLICABILITY/SCOPE**

This policy applies to all Workforce Innovation and Opportunity Act (WIOA) Title I B staff and contractors delivering workforce development Adult program and services.

**II. PURPOSE**

This policy is to establish the criteria to be used to identify Adults who meet priority of service for individualized career services, training services, or both under the Workforce Innovation and Opportunity Act (WIOA) Title 1B Adult program.

**III. BACKGROUND**

WIOA Title 1B establishes a priority requirement with respect to funds allocated to a local workforce development area for the provision of Adult services. Local area staff must give priority to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for individualized career services, training services, or both. Priority must be applied regardless of funding availability and does not apply to basic career services or the Dislocated Worker programs.

**IV. DEFINITIONS**

AJC is Arizona Job Connection, the case management and labor exchange system used for reporting WIOA services.

Basic Skills Deficient is an Adult who is unable to:


1. Compute or solve problems; or
2. Read, write, or speak English at a level necessary to function on the job, in his or her family, or in society.

Eligible Veteran

1. A person who served in the active military, naval, or air service and was discharged or released under conditions other than dishonorable.
2. Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.

Eligible Spouse is the spouse of any of the following:

1. Any veteran who died of a service-connected disability;
2. 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 line of duty by a hostile force; or
  - c. Forcibly detained or interned in line of duty by a foreign government or power.
3. Any veteran who has a total disability resulting from a service connected disability, as evaluated by the Department of Veterans Affairs; or
4. Any veteran who died while a disability was in existence.

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Note: Spouses of veterans who do not meet one of the criteria listed above may still receive WIOA Title 1B funded services if they meet the specific program eligibility criteria. However, spouses who do not meet the above criteria will not qualify for priority services.

Low Income is defined as an individual who receives public assistance as defined below or:

1. Is a member of a family whose total family income does not exceed either the poverty line or 70 percent of the Lower Living Standard Income Level (LLSIL);
2. Is a homeless individual, as defined in 42 U.S.C. 14043e-2(6) of the Violence Against Women Act of 1994, or 42 U.S.C. 11434a(2) of the McKinney-Vento Homeless Assistance Act; or
3. Is an individual with a disability whose own income meets the income requirement but is a member of a family whose income does not meet this requirement.

Public Assistance is defined as an individual (or an individual who is part of a family) currently receiving, or who in the past six months has received, assistance through (any of the following programs):

1. Supplemental Nutrition Assistance Program (SNAP);
2. Temporary Assistance for Needy Families (TANF);
3. Supplemental Security Income (SSI);
4. Refugee Cash Assistance (RCA); or
5. Any other state income-based public assistance.

## V. POLICY


### A. Determining Priority of Service

Priority of Service for the Adult Program is to be determined, in order, by the following priority groups:


1. **First Priority:** Veterans and eligible spouses of veterans who are low income, recipients of public assistance or basic skills deficient.
2. **Second Priority:** Non-veterans who are low income, recipients of public assistance or basic skills deficient.
3. **Third Priority:** Veterans and eligible spouses of veterans who are not low income, not recipients of public assistance, or not basic skills deficient.
4. **Fourth Priority:** Non-veterans who are not low income, not recipients of public assistance, or not basic skills deficient may be enrolled on a case by case basis with documented program managerial approval. The number of adults enrolled in WIOA Title 1B who are not Priorities 1-3 shall not exceed 10% of all adults registered in the current program year.

### B. Documenting Low-Income Status for Priority of Service

Staff must properly document low-income status when an adult is enrolled in the WIOA Title 1B Adult program for individualized career services, training services, or both based on the priority categories in Arizona Job Connection (AJC) Enrollment Notes. All attempts to gather this information, including calls, letters, and e-mail messages to the participant must be documented.

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1. Documentation related to income verification to determine low income status for priority of service as outlined on the [WIOA Title 1B Eligibility Checklist \(Form WIA-1027B can be found at: https://des.az.gov/sites/default/files/media/wioaeligibilitychecklist.pdf\)](https://des.az.gov/sites/default/files/media/wioaeligibilitychecklist.pdf) must be collected and uploaded into AJC.
2. Military earnings are not included when calculating income for veterans or transitioning service members for priority of service.
3. Staff must request medical or other disability documentation for program eligibility determination when an individual with a disability requests accommodation or the individual is counted as a family of one. All medical information must be kept in a sealed confidential envelope separate from the files of eligible applicants, registrants, and participants.
  - a. When an individual with a disability does not want to provide Medical/disability documentation to substantiate a disability, the individual must not be counted as a person with a disability.
4. When a verification document cannot be obtained, the [WIOA Title 1B Applicant Statement \(Form WIA-1027A can be found at: https://des.az.gov/sites/default/files/dl/wia1027aforpd\\_english.pdf\)](https://des.az.gov/sites/default/files/dl/wia1027aforpd_english.pdf) may be accepted *only* as a last resort. The form must contain the signatures of the participant and a witness. Every attempt used to gather information for verification must be documented in AJC Program Notes. The [WIOA Title 1B Applicant Statement \(WIA-1027A\)](#) must be uploaded into AJC. The [WIOA Title 1B Applicant Statement \(WIA- 1027A\)](#) may only be used as verification when listed as an acceptable document for eligibility criteria on the [WIOA Title I-B Eligibility Checklist \(WIA-1027B\)](#). Thus, the participant’s social security number, citizenship/right to work, Selective Service registration, and date of birth must not be verified using the [WIOA Title I-B Applicant Statement \(WIA-1027A\)](#).
5. Social Security benefits can be verified through **Social Security Consent-Based SSN Verification Services.** (<https://www.ssa.gov/cbsv/>). Fees associated with this verification are an allowable cost under WIOA Title 1B Adult program funds and can be paid. Applicants must not be charged for this verification.
6. Individuals who are recipients of Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), or Refugee Cash Assistance (RCA) may automatically be income eligible and require no further income verification if the individual provides acceptable documentation:
  - a. SNAP documentation must be current and indicate the individual is receiving or is a member of a family who is receiving, or has received in the past six months, SNAP payments at the time of application to the WIOA Title 1B program.
  - b. TANF documentation must be current and indicate the individual is receiving or is a member of a family who is receiving, or has received in the past six months, TANF payments at the time of application to the WIOA Title 1B Adult program.
  - c. SSI documentation must be current and indicate the individual is receiving or has received SSI in the past six months and indicate that payments were made to a single recipient. The individual applying for WIOA Title 1B funding must be the recipient at the time of application to a WIOA Title 1B program to be considered as a family of one.

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- d. RCA documentation must be current and indicate the individual is receiving or has received RCA in the past six months and indicate that payments were made to a single recipient. The individual applying to the WIOA Title 1B Adult program must be the recipient at the time of application to a WIOA Title 1B program to be considered as receiving public assistance.

C. Determining Annualized Income

1. Income Included

Income, including household income, that is considered when determining low income status for “priority of service” for the six months prior to the date of registration:

- a. Gross wages/ salaries paid;
- b. Alimony;
- c. Child support payments (paid or received), including foster care child payments;
  - i. College or university grants or scholarships (excluding Pell Grants) based on merit, fellowships, or assistantships;
- d. Dividends, interest, net rental income, net royalties, and periodic receipts from estates or trusts;
- e. Military family allotments or other regular payments from an absent family member but not child support;
- f. Unemployment compensation (earnings to date are added once other income has been annualized);
- g. Social Security (old age and survivors’ insurance or disability insurance);
- h. Social Security Disability Insurance (SSDI) payments;
- i. Net gambling or lottery winnings;
- j. Net receipts from:
  - i. Non-farm self-employment (receipts from an individual’s own unincorporated business, professional enterprise, or partnership after deductions for business expenses) OR
  - ii. Farm self-employment (receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses);
- k. Pensions, whether private or government (including military retirement pay);
- l. Regular disability insurance or annuity payments; and
- m. Regular payments from the following:
  - i. Railroad retirement;
  - ii. Strike benefits from union funds;
  - iii. Worker’s compensation;
  - iv. Training stipends;
  - v. Supplemental unemployment benefits paid by the union or employer; OR Work-study wages not issued on low-income status;
  - vi. Tribal Per Capita payments, per U.S. Department of Labor DINAP Bulletin No. 00-11, page 4. According to this bulletin, per capita payments, regardless of the title attached to these payments, are considered “family income” except for those payments “derived from an exercise of the trust responsibility”.

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D. Income Excluded

The income that is not considered when determining low income status:

1. Supplemental Security Income;
2. Any assets drawn down as withdrawals from a bank, Individual Retirement Account (IRA), the sale of property, a house or a car;
3. Capital gains;
4. Veterans' benefits: compensation for a service-connected disability, compensation for service-connected death, vocational rehabilitation and education assistance;
5. WIOA Title 1B payments: training stipends, support, and wages;
6. Non-cash benefits such as employer-paid fringe benefits, food or housing received in lieu of wages, Medicare, Medicaid, Food Stamps, school meals, and housing assistance;
7. Pell Grants, Federal Supplemental Educational Opportunity Grants and Federal Work Study, PLUS, Stafford and Perkins loans (loans represent debt, not income);
8. Scholarship based on need;
9. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments, or compensation for injury;
10. Welfare payments (including TANF, SSI, RCA, GA);
11. Work-study wages issued on low-income students; and
12. Military pay or allowances by any person who served on active duty and military income for transitioning service members.

**VI. POLICY MANAGEMENT REQUIREMENTS**

Administrative revisions to the policy may be made by the Phoenix Business and Workforce Development (PBWD) Board Executive Director, with notice to the PBWD Board's Executive Leadership Committee. All other substantive revisions will go to the PBWD Board's Executive Leadership Committee for review and recommendation to the PBWD Board for approval.

**VII. ADDITIONAL OR MISCELLANEOUS INFORMATION**

- A. WIOA Title 1B Applicant Statement – See Attachment A
- B. WIOA Title 1B Eligibility Checklist – See Attachment B