

Policy Number: WIOA I-B – 2.8

Effective Date: August 1, 2017

Priority for Individuals with Barriers to Employment

PURPOSE:

The purpose of this policy is to describe and detail the requirements for local policies concerning the priorities of service for applicants in WIOA Title I-B programs and services in accordance with the Workforce Innovation and Opportunity Act of 2014 (WIOA), the WIOA Final Rule, Training and Employment Guidance Letters (TEGLs) published by the Employment and Training Administration of the U.S. Department of Labor (ETA), and policies of the Arkansas Workforce Development Board (AWDB).

REFERENCE:

WIOA §§ 3, 166(b), 167(i)(1-3), 203(7)
20 U.S.C 7517
25 U.S.C 450b
42 U.S.C. 601 et seq.
43 U.S.C 1602(b),(r)
TEGLs 19-16 & 21-16
ADWS Policy No. WIOA I-B – 1.2 (Definitions)
ADWS Policy No. WIOA I-B – 2.4 (Eligibility for Dislocated Worker Program)

POLICY:

In addition to statutory requirements concerning eligibility and priority for particular programs (including veterans priority for all programs), all programs of WIOA Title I-B must focus on serving individuals with barriers to employment, as detailed below [TEGL 19-16]. This does not mean that these individuals are the only ones who can be served, but that priority must be given to individuals identified as having barriers to employment after individuals who meet statutory priority requirements. Of course, all levels of priority must meet program eligibility criteria.

Each local area must develop policies and procedures to ensure priority access to services for individuals with barriers to employment for all programs, while conforming to statutory regulations concerning each program. LWDBs may consider the unique populations of their areas when creating these policies and procedures, and they may identify other populations who should be included as “individuals with barriers to employment,” as allowed in (p) below. The local Priority Policy must be approved by the LWDB.

Local areas must consider the following “individuals with barriers to employment” when writing policies and procedures [WIOA § 3(24); TEGL 19-16]:

- a) Displaced homemakers, as defined in WIOA § 3(16) and ADWS Policy No. WIOA I-B – 2.4 (*Eligibility for Dislocated Worker Program*)
- b) Low-income individuals, as defined in WIOA § 3(36) and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- c) Indians (as defined in WIOA § 166(b) and 25 U.S.C 450b), Alaska Natives (as defined in WIOA § 166(b) and 43 U.S.C 1602(b),(r)), and Native Hawaiians (as defined in WIOA § 166(b) and 20 U.S.C 7517)
- d) Individuals with disabilities, including youth who are individuals with disabilities, as defined in WIOA § 3(25) and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*) and including individuals who are recipients of Social Security Disability Insurance [TEGL 19-16]
- e) Older individuals, defined as age 55 or older [WIOA § 3(39)]
- f) Ex-offenders or offenders [TEGL 19-16], as defined in WIOA § 3(38) and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- g) Homeless individuals, including runaways and homeless children and youth, as defined in TEGL 19-16 and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- h) Youth who are in or have aged out of the foster care system
- i) Individuals who are English language learners, as defined in WIOA § 203(7) and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- j) Individuals who have low levels of literacy (i.e. Basic Skills deficient [TEGL 19-16]), as defined in ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- k) Individuals facing substantial cultural barriers to employment, as defined in ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- l) Eligible migrant and seasonal farmworkers, as defined in WIOA § 167(i)(1-3) and ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- m) Individuals within 2 years of exhausting lifetime eligibility under TANF (See 42 U.S.C. 601 et seq.)
- n) Single parents (custodial and non-custodial, mothers and fathers) and single pregnant women [TEGLs 19-16 & 21-16])
- o) Long-term unemployed individuals, as defined in ADWS Policy No. WIOA I-B – 1.2 (*Definitions*)
- p) Such other groups as the LWDB determines to have barriers to employment