

ADVOCACY CHATS

EPISODE 1: VETERANS PRIORITY OF SERVICE

(Staff) Susan Prokop, Natl. Advocacy Dir

00:01

Hello everyone, this is Susan Prokop. Paralyzed Veterans of America's National Advocacy Director welcoming you to today's Advocacy Chat.

00:11

Where we're going to talk about veterans priority of service in Department of Labor workforce programs.

00:19

we're delighted to have with us today Lori Adams, the veterans policy director and national labor exchange senior advisor at the National Association of State Workforce Agencies.

00:33

One of her primary duties is staffing the NASWA Veterans Affairs Committee, working with state veteran representatives, as well as.

00:44

US DOL VETS and planning NASWA's annual veterans conference. She represents NASWA on the Department of Labor's advisory committee on veterans employment, training and employer outreach. She joined NASWA in 2015

01:01

After more than 26 years with Iowa workforce development where her last position was division administrator of workforce services.

01:12

As division administrator she was responsible for personnel program and service delivery and all of the state's American Job Centers.

01:23

Lori has a bachelor's degree in journalism and mass communication from Iowa State University and received her certified public manager accreditation from Drake University.

01:34

So I'm going to give a little bit of background about what veterans priority of service is and then we'll launch in with our conversation with Lori.

01:46

The Jobs for Veterans Act was signed into law on November 7 2002, and requires that there be priority of service for veterans.

01:58

And eligible spouses in any workforce preparation development or delivery program or service directly funded in whole or in part by the US Department of Labor.

02:12

The priority of service regulations were issued in December 2008 and required qualified job training programs to implement priority of service for veterans and eligible spouses and that became effective January 2009.

02:27

protocols for implementing priority of service were issued by the Department of Labor in 2010.

02:34

and state that service providers should have processes in place at the point of entry to the system.

02:40

to identify veterans and eligible spouses who are entitled to priority of service.

02:45

Priority of service means the right of veterans and eligible spouses to take precedence over a non covered person in obtaining all employment and training services.

02:56

depending on the type of service, this may mean veterans and eligible spouses received services earlier in time or instead of non covered persons so Lori tell us how does veterans priority of service work.

user avatar

Lori Adams

03:14

Thanks, Susan. Priority of service does mean that veterans and certain eligible spouses get access to DOL funded programs first and before non veterans This is particularly important if funding or space is limited.

03:29

Priority of service may mean veterans and eligible spouses receive services earlier in time or instead of non covered persons.

03:36

And if an agency or American Job Center has a waiting list for training resources veterans and eligible spouses get first priority for those slots and must be enrolled in training before non covered persons.



03:49

Everyone in the American Job Center is responsible for ensuring priority of services provided.

03:55

And over the last 12 months the Department of Labor reports that almost 205,000 veterans received services through the American Job Centers and almost 35% of them self reported that they are disabled.

04:09

When a veteran accesses the services of an American Job Center or AJC for the first time, either in person, or virtually they'll be asked if they served in the United States military not if they're a veteran.

04:22

Some people don't identify as veterans thinking they had to have served in combat some are still transitioning out and women often don't consider themselves veterans.

04:32

This assessment will determine if they're eligible for specific services provided by a disabled veteran outreach program specialist known as the DVOP, or if they're served by other American Jobs Center staff.

04:46

But it's important to remember that all eligible veterans are entitled to priority of service in all employment and training programs funded in whole or in part by the Department of Labor This is called being a covered person.

05:00

A veteran is eligible for priority of service if they have served at least one day in the active military naval or air service and has a discharge, other than dishonorable.

05:11

it's important to understand that proof of military service such as the DD 214 is required, only if program funds are being obligated AJC staff should never ask a veteran for proof of service unless they're enrolling them in training and expanding program dollars on their behalf.

(Staff) Susan Prokop, Natl. Advocacy Dir

05:30

And who is an eligible spouse.

user avatar

Lori Adams

05:36

Well, an eligible spouse means a spouse of any of the following people. A spouse of any veteran who died of a service connected disability.



05:45

The spouse of any servicemember on active duty, who at the time of application is listed in one or more of these categories being missing an action.

05:56

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.

06:06

can also be the spouse of any veteran with a total service connected disability as evaluated by the VA and the spouse of any veteran who died while a disability was in existence.

06:18

Please note that at this time priority of service does not apply to anyone whose spouse, was killed in the line of duty.

06:26

And if any spouse whose eligibility is derived from a living veteran or a servicemember they do lose that eligibility upon divorce spouses of veterans who died because of service connected disabilities, however, do stay eligible if they remarry.

user avatar

(Staff) Susan Prokop, Natl. Advocacy Dir

06:44

What Department of Labor programs are covered by veterans priority of service?

user avatar

Lori Adams

06:54

The requirement to provide priority of service applies to all employment and training programs funded in whole or in part by the Department of Labor.

07:05

Most notably, that covers the workforce innovation and opportunity act often known as WOIA.

07:12

And Wagner-Peyser, which is often known as the Employment Service, it covers all of those funded activities, as well as these programs the senior community service employment program often known as SCSEP.

07:28

All Indian and Native American programs, national farm worker job training, trade adjustment assistance, and job training programs funded through the women's bureau.

07:40

And then obviously any other current or future qualified job training program developed by the Department.



07:47

it's also important to understand what it doesn't apply to it does not apply to unemployment insurance.

07:55

Which is considered an income benefit and not a qualified job training program it also doesn't apply to SNAP, also known as food assistance, which is funded by the US Department of Agriculture.

08:08

or temporary assistance for needy families often known as TANF, which is funded by the Department of Health and Human Services. It only applies to portions of the reemployment services and eligibility assessment program, also known as RESEA.

08:27

Priority of service in RESEA is limited to services available after the selected individual reports in person.

08:36

To a service delivery location, but not the actual requirement to report. And, lastly, priority of service also does not apply to state vocational rehabilitation services which are administered through the Departments of Education in the various States.

user avatar

(Staff) Susan Prokop, Natl. Advocacy Dir

08:53

So do Job Centers get training in veterans priority of service? For example, do they know how to handle the income criteria for income based eligibility determinations that say.

09:08

amounts paid by the VA for the rehab disability payments or related VA funded programs are not to be considered as income.

user avatar

Lori Adams

09:20

Susan Yes, they do states are required first off to provide specific information on how they will assure priority of service is provided in their state plans.

09:31

And that includes both veterans plans and WOIA state plans combined plans.

09:37

etc and priority of service, however, is also covered extensively in mandatory training for jobs for veterans state grant personnel provided by the national veterans training institute.

09:51

All new DVOPS and LVERs are required to attend NVTI training within 18 months of hire and priority of service is one of those topics that they are trained upon.

10:03

NASWA will also recently provided train the trainer sessions for all state staff on the mandatory triage process, which also covered the difference between priority of service and veterans preference.

10:17

That training that we covered for triage also explained the definition of low income veteran and, as you pointed out, it can get a little confusing understanding.

10:28

eligibility criteria when its income based. A veteran who meets the workforce innovation and opportunity act definition.

10:36

which defines a low income individual as one whose total family income does not exceed the higher level of the poverty line or 70% of the lower living standard income level.

10:50

So that's what's considered a low income individual. So what does actually that mean? That's where we encourage the state staff to talk to someone who administers the WOIA program in their state, because each State has a different poverty line at a different.

11:08

lower living standard income level and each state has to develop that and and have a formula and know exactly how that pertains to different family sizes so to make sure that they're following the same protocol, we encourage them to talk to the to their state.

11:26

partners in the WOIA program.

11:30

A couple of really good resources for understanding priority of service include the Department of labor's training and employment guidance letter 10-09.

11:41

And a document called a protocol for implementing priority of service for veterans and eligible spouses and both of those documents are available online, you can just Google them.

11:52

And you can find that information online. The latter document, the protocol has a lot of great information, a lot of great examples, it is probably a little easier to read than the guidance letter, which is much more policy driven.

(Staff) Susan Prokop, Natl. Advocacy Dir

12:09

Now, is it true that separating servicemembers can receive services under the workforce systems dislocated workers Program.

user avatar

Lori Adams

12:22

That's true. If the separating servicemember is leaving from the armed forces with a discharge that's anything other than dishonorable.

12:31

The separating servicemember qualifies for dislocated worker activities based on this criteria.

12:38

They should have received a notice of separation, the DD 214 from the Department of Defense or another documentation showing the separation or imminent separation from the armed forces.

12:50

To satisfy the requirement that there has been a termination or a layoff as part of the dislocated worker eligibility criteria.

13:00

The separating service Member qualifies for the dislocated worker eligibility criteria on eligibility for or exhaustion of unemployment compensation.

13:13

And as a separated servicemember the individual meets the dislocated worker eligibility criteria.

13:21

Because the individual is unlikely to return to the previous industry or occupation. I think the last one is really critical there that if someone is separating from the military the likelihood of them returning.

13:34

is slim, and so they would be eligible as a dislocated worker and therefore eligible for services have applied and available through the workforce innovation and opportunity act which can include training dollars and other services for which priority of service does apply.

user avatar

(Staff) Susan Prokop, Natl. Advocacy Dir

13:55

Well now have state workforce boards or agencies encountered any difficulties in addressing veterans priority of service and what have they done to overcome those challenges.

user avatar



Lori Adams

14:10

One of the biggest difficulties is understanding the difference between priority of service and veterans preference. Sometimes you hear this, the two terms used interchangeably yet they're very different subjects and they apply for different situations.

14:27

Priority of service is not the same thing as veterans preference veterans preference means veterans who are disabled.

14:35

who served on active duty in the armed forces during certain specified time periods or in military campaigns are entitled to preference over others in hiring for virtually all federal jobs.

14:48

Some States have also passed veterans preference laws, but no state or federal law guarantees anyone a job.

14:56

It can also be confusing for people to understand that eligibility for priority of service is based on one day of active duty, while other DOL funded programs require the veteran to have served 180 consecutive days. One other thing I might mention is.

15:16

there's been periods of time, where there was no shortfall of funding or no shortfall of training slots available to the veteran.

15:25

And so, sometimes State administrators tend to forget that, if there is a shortfall, or if there's funding is limited or there's classroom spaces limited that veterans do get those spots first.

15:38

And so, when there hasn't been a limitation they've never had to apply priority of service provisions.

(Staff) Susan Prokop, Natl. Advocacy Dir

15:48

Okay, well, so what are state workforce agencies doing to partner with veterans service organizations to make sure veterans receive appropriate services from the system.

Lori Adams

16:02

That's a great question. One of the roles and responsibilities of the disabled veteran outreach program specialist that DVOP I mentioned earlier.



L16:10

is to conduct relationship building outreach and recruitment activities with other service providers in the local area.

16:18

And that includes veterans service organizations like Paralyzed Veterans of America, as well as local training providers.

16:25

Many of the DVOPs are themselves member of organizations like the American Legion, VFW, and AMVETS and they share information about those services.

16:34

that are available from those organizations, through the American Job Center system through those interactions and with the veterans that they're serving.

16:42

NASWA also tries to take advantage of every opportunity to connect with VSOs and to make sure our state Members are aware of resources available for the veterans they serve.

16:53

For example, Lauren Lobrano and Dominic Lasorsa recently brief the NASWA Veterans Affairs Committee on PVA's Veterans Career Program.

user avatar

(Staff) Susan Prokop, Natl. Advocacy Dir

17:05

And so, for more information about NASWA what what should people do.

user avatar

Lori Adams

17:12

Well there's two things they can do they can check out our website www.naswa.org NASWA dot org and I'm certainly willing and happy to accept any questions so if anyone would like to email me my email address is ladams@naswa.org. NASWA dot org.

user avatar

(Staff) Susan Prokop, Natl. Advocacy Dir

17:37

And if listeners are interested in finding out more about PVA's Veterans Career Program they can go to our website pva.org under the tab find support that links to pva.org find support Veterans Career Program.

17:59

So I want to say thank you to you Lori for giving us a little tutorial about veterans priority of service, a very informative discussion.



18:12

We very much appreciate your time and attention and look forward to continued collaboration with the National Association of State Workforce Agencies. Thank you so much.

Lori Adams

18:26

Thank you Susan it's been a pleasure to be here and look forward to continuing our partnership as well.

