

MARYLAND WORKFORCE DEVELOPMENT SYSTEM

# Maryland Policy Issuance

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**Policy Issuance No. 05-2013**  Policy  Information  Guidance

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**To:** Chief Elected Officials  
Workforce Investment Board Chairs  
Workforce Investment Board Directors  
Title I Administrators

**CC:** WIA State Partners

**From:** Julie Squire, Assistant Secretary,  
Division of Workforce Development and Adult Learning



**Date:** October 1, 2013

**Effective Date:** April 4, 2014

**Expiration Date:** Until rescinded

**GWIB Approval Date:** N/A

**Authority:** WIA Section 134(d)(4)(E) and 20 CFR 663.600; WIA Sec. 101(25) ;WIA Policy No. 3641

**Subject:** Priority of Service for Low Income Individuals

- I. **Purpose:** The Workforce Investment Act (WIA) stipulates that in the event that funds allocated to a local area for adult employment and training activities are limited, priority for intensive and training services funded with WIA Title IB adult funds must be given to recipients of public assistance and other low-income individuals in the local area. This document defines the policy of the State in applying the federal provisions related to priority of service when WIA funds are limited.
- II. **Background:** WIA Section 134(d)(4)(E) and 20 CFR 663.600 indicate that if funds allocated to a local area for adult employment and training activities are limited, priority shall be given to recipients of public assistance and other low-income individuals for intensive and training services. 20 CFR 1010.100 et seq. sets forth priority of service for veterans and their spouses. These regulations fulfill section 605 of the Veterans Benefits, Health Care, and Information Technology Act of 2006, Pub. L. 109-461 (Dec. 22, 2006). Each Local Workforce Investment Board must develop a priority of service policy regarding Workforce Investment Act (WIA) Title I Adult intensive and training services. The Local Workforce Investment Board's priority of service

policy must include, but is not limited to, veterans, public assistance and other low-income individuals in the local area. The Local Workforce Investment Board will indicate its priority of service policy in its WIA local plan, specifying the target groups that will receive priority service.

### **III. Policy:**

#### *a. Eligibility for Intensive Services Funded Under the Workforce Investment Act (WIA) Title I-B Adult Employment and Training Grant*

At a minimum, adults (18 years of age and older) must receive at least one WIA core service, such as an initial assessment or job search and placement assistance, to become eligible to receive intensive services funded by the WIA Title I-B Adult Employment and Training Grant. There is no federally-required or state-required minimum time period for participation in core service before receiving intensive services funded under the WIA Title I-B Adult Employment and Training Grant.

There are two categories of adults who are eligible to receive intensive services funded under the WIA Title I-B Adult Employment and Training Grant:

- i. Adults who are unemployed, have received at least one core service and are unable to obtain employment through core services, and are determined by a One-Stop Operator to be in need of more intensive services to obtain employment.
- ii. Adults who are employed, have received at least one core service, and are determined by a One-Stop Operator to be in need of intensive services to obtain or retain employment that leads to "self-sufficiency." Self-sufficiency (in this context) must be defined in writing by the Local WIB.

Being determined "eligible" for intensive services funded under WIA Title I-B does not entitle an individual to receive WIA Title I-B intensive services.

The eligibility determination for intensive services shall be made on a case-by-case basis at the local level depending upon the needs and individual circumstances of the participant and local economic conditions.

The local area WIA Title I-B Operations Plan must describe the WIB's criteria for:

- i. Managing case-by-case decision-making for consideration for individual eligibility for intensive services, including how the decision-making process will be equitable and result in priority populations being served to the extent identified by the WIB.
- ii. Managing the amount of time during which participants receive services so that services are provided efficiently and effectively, without undue delays.

#### *b. Eligibility for Training Services Funded Under the WIA Title I-B Adult Employment and Training Grant*

At a minimum, an adult must receive at least one WIA Intensive service, such as development of an individual employment plan with a case manager or individual counseling and career planning, before the individual is eligible to receive training services funded by the WIA Title IB Adult Employment and Training Grant. The case file must contain a determination of need for WIA Title I-B training services, as identified in the individual employment plan, comprehensive assessment, or through any other intensive service received. There is no federally-required or state-required minimum time period for participation in intensive services before receiving training services funded under the WIA Title I-B Adult Employment and Training Grant.

Training services, funded under the WIA Title I-B Adult Employment and Training Grant, may be made available to employed and underemployed adults who:

- i. Have met the eligibility requirements for intensive services, have received at least one WIA Title I-B intensive service, and have been determined to be unable to obtain or retain employment through such services. The eligibility determination shall be made on a case-by-case basis at the local level depending upon the needs and individual circumstance of the participant and local economic conditions. The local area WIA Title I-B Operations Plan must describe the WIB's criteria for:
  - a. Managing case-by-case decision-making for consideration for individual eligibility for training services, including how the decision-making process will be equitable and result in priority populations being served to the extent identified by the LWIB.
  - b. Managing the amount of time during which participants receive services, so that services are provided efficiently and effectively, without undue delays in service completion.
- ii. After an interview, evaluation or assessment, and case management, have been determined by a One-Stop operator or One-Stop partner, to be in need of WIA Title I-B training services and to have the skills and qualifications to successfully complete the selected training program.
- iii. Select a program of training that is directly linked to the employment opportunities either in the local area or in another area to which the individual is willing to relocate.
- iv. Are unable to obtain grant assistance from other sources to pay the costs of training as described in 20 CFR 663.310(a)(4).

Being determined "eligible" for training services funded under WIA Title I-B does not entitle an individual to receive WIA Title I-B training services.

*c. Priority Selection for Intensive Services and Training Services Funded Under the WIA Title I-B Adult Employment and Training Formula Grant*

*First priority:* The WIB shall ensure that recipients of public assistance and other low income individuals (who are eligible for intensive or training services based on eligibility criteria described in sections III a and III b of this policy) are given first priority enrollment for intensive services and training services funded under the WIA Title I-B Adult Employment and Training Grant. Veterans or other covered

persons who are recipients of public assistance and low-income veterans shall be given first priority among this first priority group.

*Second priority* shall be given to individuals (who are eligible for intensive or training services based on eligibility criteria described in sections 3a and 3b of this policy) with income under 175 percent of poverty.

*Third priority* shall be given to veterans who are eligible for intensive or training services based on eligibility criteria described in Parts A and B of this policy. The terms "Veterans" and "other covered persons" are defined in WIA Policy No. 3641.

*Fourth priority:* A decision to prioritize additional groups beyond those prioritized in this state policy is a decision that is made by the WIB in consultation with chief local elected officials.

The WIB shall describe, in the local area Plan, the priority policy enrollment decisions in the process of selecting individuals for WIA intensive services and training services funded through the WIA Title I-B Adult Employment and Training Grant

**IV. Action Required.**

All Local Workforce Investment Boards must include the above language in their Local Unified Plans.

**V. Inquiries.**

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