

Priority of Service Policy Attachment 1: Epilogue

Priority of Service Policy Revisions

During the public comment period a review of the Priority of Service policy revealed content that required modification and, in some cases, removal. Some changes were made after content review with state agency workforce system partners. A digest of content that was changed or removed is as follows:

Page 5: The *Low-Income Determination* section was removed in its entirety. The content of this section was not supported by WIOA statute, its promulgating regulations, or guidance.

Page 5: The *Local Requirement* section was removed in its entirety. While some of the content included in this section was permitted by WIOA statute, a local requirement is an eligibility determination and not one of priority of service. Content from the Local Requirement section will be added to the WIOA Title I Adult Eligibility policy currently in draft.

Page 5: The *Local Discretionary Priority* section was edited to remove a sentence reading: “As this priority targets individuals with a barrier to employment as defined in WIOA, it may be utilized instead of one (1) of the three (3) statutory priority groups”. The condition described in the sentence was not supported by WIOA statute, its regulations, or guidance. Additionally, the paragraph was edited to add language specifically noting that any discretionary priority group is applied as a fourth order of priority and must not affect the WIOA statutory priority groups and the priority for Veterans and their eligible spouses.

Page 5: A sentence describing the need for local policy and a local workforce development area’s local plan to include a discretionary priority was edited to remove a reference to local requirements in alignment with the deletion of the Local Requirements section.

Page 5: The *Local Policy Requirements* section was edited to remove two bullet points (the second and fourth) to remove reference to low-income determination and local requirements, respectively. These changes aligned with the deletion of the *Low-Income Determination* and *Local Requirement* sections of the initial policy.

Priority of Service Public Comments

Comment: A commenter supported the policy’s content noting that it was clearly written and in conformity with federal WIOA priority of service requirements. Specific mentions of support were made for the inclusion of definitions of important terms relevant to priority of service, the clear statement of the three federal statutory priority groups, the inclusion of the federal goal and minimum composition of adult participants from the priority groups, and clear statements of how priority is applied including the priority for Veterans

Response: L&I appreciates the commenter’s validation of the policy content. No changes to the policy were made.

Comment: A commenter asked a question regarding serving individuals who are basic skills deficient. The commenter noted that the Priority of Service policy did not indicate if a local policy requiring income be less than self-sufficiency standards could be used to determine eligibility in combination with the statutorily required basic skills deficient priority.

Response: WIOA Adult title I priority of service must be applied as described in WIOA Sec. 134(c)(3)(E), Training and Employment Guidance Letter 7-20 and PA's Priority of Service policy, page 4. Any local discretionary group must be applied as a fourth order of priority. No changes to the policy were made.

Comment: A commenter requested clarification on the Local Discretionary Priority section of the policy. Specifically, the commenter asked how priority of service benchmarks are calculated when considering discretionary priority groups.

Response: Guidance in Training and Employment Guidance Letter 7-20, page 3, notes that "*ETA envisions that giving priority of service to these individuals means ensuring that at least 75 percent of a state's participants receiving individualized career and training services in the Adult program are from at least one of the priority groups...and expects this rate will be no lower than 50.1 percent in any state.*". ETA makes it clear that the 50.5% minimum goal is to be comprised of individuals in the three statutory priority groups. No changes to the policy were made.

Comment: A commenter suggested that the Priority of Service of policy be amended to include stronger language regarding USDOL's vision of 75% of Adult title I participants come from one of the statutory priority groups and the minimum benchmark or 50.1%. Specifically, the commenter suggested language to encourage local areas to move more aggressively towards the 75% mark. The commenter also suggested incentivizing local areas to meet or exceed the 75% level.

Response: The benchmark and aspirational goal rates for Adult title I priority groups set by USDOL are state level expectations. In their local policy, local workforce development boards are required to describe the procedures used to monitor the goal of meeting the 50.1% benchmark. As part of these local policies, workforce development boards can set measurable goals for themselves. Specific local goals require flexibility for adjustment and are best identified in local policy. No changes to the policy were made.

Comment: A commenter, noting the extraordinary challenges that young adults face in entering and succeeding in the workplace, suggested that Pennsylvania establish an additional priority of service for eligible young adults who are co-enrolled in WIOA Title I youth and adult programming.

Response: Federal statute, regulations, guidance and the Priority of Service policy detail that discretionary priorities, any priority other than those mandated by WIOA and the priority for Veterans, may be identified by local workforce development boards and the governor. Discretionary priorities can be identified through analysis of local data to support the new group and how the priority will be documented and implemented. These specifics require local flexibility and are best identified in local policy. No changes to the policy were made.

Comment: A commenter recommended setting service goals for local workforce development boards to prioritize certain populations including co-enrolled young adult, homeless individuals, former foster youth and justice-involved individuals. The commenter noted that setting local goals would incentivize local workforce development boards to target individuals with significant barriers to education and employment.

Response: Supported by data for justification, local workforce development boards can identify a discretionary priority group. Any discretionary group must be noted in the local and regional plans and local policy. Workforce development boards can set measurable goals for serving individuals in the discretionary priority group and include them as part of the plan and policy. No changes were made to the policy.