

<b>TRAINING AND EMPLOYMENT NOTICE</b>	<b>NO.</b> 17-13
	<b>DATE</b> December 18, 2013

**TO:** AFFILIATE AMERICAN JOB CENTER DIRECTORS  
 COMPREHENSIVE AMERICAN JOB CENTER DIRECTORS  
 WORKFORCE INVESTMENT ACT (WIA) 166 GRANTEES  
 DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING  
 ADMINISTRATION REGIONAL ADMINISTRATORS  
 GOVERNORS  
 STATE WIA LIAISONS  
 STATE WORKFORCE ADMINISTRATORS WIA  
 WORKFORCE INVESTMENT BOARD (WIB) LOCAL CHAIRS  
 WIB STATE CHAIRS  
 WIB STATE EXECUTIVE DIRECTORS  
 WIB LOCAL EXECUTIVE DIRECTORS

**FROM:** ERIC M. SELEZNOW /s/  
 Acting Assistant Secretary

**SUBJECT:** Release and Availability of the Final Report Titled *Assessment of the Workforce System's Implementation of the Veterans' Priority of Service Provision of the Jobs for Veterans Act of 2002*

**1. Purpose.** The Employment and Training Administration (ETA) announces the release and availability of the final report titled *Assessment of the Workforce System's Implementation of the Veterans' Priority of Service Provision of the Jobs for Veterans Act of 2002*.

**2. Background.** Providing employment and training services for veterans has become an increasingly important policy focus in recent years as the number of service members returning from Operation Enduring Freedom/Operation Iraqi Freedom has increased. Several employer and education incentives assist veterans in obtaining civilian employment or returning to school such as the Returning Heroes and Wounded Warrior tax credits and educational funding through the Post-9/11 Veterans Education Assistance Improvement Act of 2010 and the Yellow Ribbon Program. The U.S. Department of Labor (DOL) places special emphasis on serving veterans through numerous programs and offices. One of the ways in which DOL serves veterans is by providing priority of service (POS) to veterans and eligible spouses in the receipt of employment, training, and placement services. Emphasis on providing veterans services has a long history, reaching back to the establishment of a national system of publicly funded Employment Service offices under the Wagner-Peyser Act of 1933. The Wagner-Peyser Act also mandated the establishment of a Veterans Employment Service in the National Office of the Public Employment Service and in each of the State systems. More recently, POS was included as a required provision of the Jobs for Veterans Act of 2002 (JVA).

In response to requests from the workforce investment system for guidance on implementing POS, the final rule regulating the Priority of Service provision of JVA was published in the December 19, 2008 Federal Register. The following Training and Employment Guidance Letters and Training and Employment Notice (TEN) issued by ETA and Veterans' Employment and Training Service (VETS) provide information on how to apply POS and determine who is eligible to receive it.

- TEN No. 10-09, *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs* (published in 2009 by ETA) ([http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2816](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816))
- Veterans' Program Letter (VPL) No. 07-09, *Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor* (published in 2009 by VETS) ([http://www.dol.gov/vets/VPLS/VPLs/VPL\\_07-09/VPL\\_07-09\\_&\\_Attachments\\_A-D%20.pdf](http://www.dol.gov/vets/VPLS/VPLs/VPL_07-09/VPL_07-09_&_Attachments_A-D%20.pdf))
- TEN No. 15-10, *Protocol for Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs* (published in 2010 by ETA) ([http://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2954](http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2954))

Under JVA, DOL is required to “evaluate whether covered persons” (veterans and eligible spouses) are receiving POS in the workforce investment system. In July 2007, ETA initiated a study to address the above-mentioned requirements. This study, *An Evaluation of the Priority of Service Provision of the Jobs for Veterans Act by the Workforce Investment System in Providing Service to Veterans and Other Covered Persons*, was published in 2011 ([http://wdr.doleta.gov/research/FullText\\_Documents/ETAOP2011-03.pdf](http://wdr.doleta.gov/research/FullText_Documents/ETAOP2011-03.pdf)). However, the key data collection activities conducted under this study were accomplished prior to or just shortly after VETS issued the final rule on “Priority of Service for Covered Persons” in the Federal Register on December 19, 2008, and well before additional administrative guidance was promulgated by ETA and VETS in 2009 and 2010.

To fill the gaps of the previous study, ETA contracted with Mathematica Policy Research in July 2011 to assess the workforce system's implementation of the POS provision of JVA, and to examine the status of current POS implementation efforts. The central question underlying this second study relates to whether the guidance has been sufficient and effective in implementing POS.

The study produced a final report, which provides a detailed description of the activities and promising practices of seven selected American Job Centers (AJCs), and identifies challenges to POS implementation. Specific areas of interest in this study include:

- 1) identification of methods used for determining eligibility of veterans and spouses for POS;
- 2) POS procedures after veterans and eligible spouses are identified; and
- 3) service provision under POS.

### **3. Key Findings.** Key findings from the report include the following:

- Some AJC staff rely more on state or locally developed guidance on POS than on the Federal guidance. Where it exists, the state or locally developed guidance tends to include more direct language and specifics about the expectations of staff than what the Federal guidance contains.
- Though frontline staff is not always particularly familiar with the Federal guidance, it has been useful in several ways. First, the guidance provided the direction behind the changes made in the AJCs to implement or deepen provision of POS. It also allowed for creation of state- and local-level guidance that has been more frequently and intensively used and disseminated across sites.
- Across sites, awareness of POS among first-time customers who are eligible for it is relatively low. Recently separated veterans, particularly those who have been through the Transition Assistance Program (TAP), are more likely to be aware of POS before contacting the AJC than are those who separated more than 2 or 3 years ago or who did not go through TAP.
- Every customer, whether visiting an AJC in person or online, must be identified as eligible for POS. This takes place through a variety of means and at different times, though there are some consistent practices across sites. Through attempts to identify eligible customers, many non-veteran customers become aware of the existence of POS, which could be beneficial should they share the information with an eligible friend or relative. All sites reported taking veterans and eligible spouses at their word about their status and providing POS on that basis. Veterans are not required to show a form DD-214<sup>1</sup> or other proof of status until they attempt to enroll in some kind of activity beyond core services.
- Customers noted the helpfulness of designated veterans' computers and areas in a calm environment with ready access to staff for assistance. This was common across sites and mentioned frequently by veterans in the focus groups as being particularly helpful and making visits to the AJC more enjoyable. Having access to dedicated computers and being able to bypass the line for the main resource room computers was often the first response when veterans were asked how they thought they were given POS.

### **4. Publication Description.**

This study is based on site visits and telephone discussions with AJC staff, discussions with veterans' service organization representatives, and focus groups with veterans and eligible spouses.

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<sup>1</sup> DD Form 214 is officially called a Certificate of Release or Discharge from Active Duty. It is issued by the Department of Defense and serves as a complete record of a service member's time in the military, trainings and schools completed, military occupational specialty, awards, promotions, deployments, separation codes, and reenlistment eligibility codes.

Chapter I provides an introduction to the study, Chapter II of this report summarizes findings from the discussions and focus groups, Chapter III describes challenges and promising practices in POS implementation across sites, and Chapter IV identifies recommendations for POS improvements and next steps.

Appendix A lays out a legislative history and literature review for the POS provision of JVA. Specific questions were developed into separate semistructured site visit discussion guides tailored to each of these three respondent groups. These research questions and discussion guides are presented in Appendices B and C. Appendices D through J provide the study profiles of the individual sites.

**5. Inquiries.** To view an abstract of this publication, as well as to download the full report, visit the ETA Research Publication Database Web site at:  
<http://wdr.doleta.gov/research/keyword.cfm>.