


BULLETIN

Office of the Governor
August 14, 2007

TO: All Virginia Workforce Network Agencies

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Senior Advisor to the Governor for Workforce

Dolores A. Esser 
Commissioner, Virginia Employment Commission

SUBJECT: Virginia Workforce Network Policy on Priority of Services for Veterans

This bulletin provides the Virginia Workforce Network (VWN) policy on providing priority of service for U. S. military veterans.

Virginia's One-Stop system will continue to provide universal access to employment, training, and related services for Veterans and covered individuals, as directed by the Jobs for Veterans Act 2002 (Public Law 107-288) and the United States Department of Labor, Employment and Training Administration's (ETA) Training and Employment Guidance Letter (TEGL) Number 5-03, which require the implementation of priority of services for Veterans in all United States Department of Labor employment and job training programs.

Public Law 107-288, Section 2(a) of the Act, and 38 U.S.C. 4215(a) creates a priority of service for veterans (and some spouses) "who otherwise meet the eligibility requirements for participation in all United States Department of Labor job training programs. The Law also states: "The Secretary of Labor will determine if covered persons are receiving priority of service by the representation of Veterans in such programs, and whether the representation of Veterans in such programs is in proportion to the incidence of representation of Veterans in the labor market."

It is the responsibility of all USDOL programs listed below to provide priority of service, as mandated by U. S. Department of Labor TEGL No. 5-03 and the WIA and Wagner-Peyser State Plan. Veterans must be given priority in program(s) participation if they meet that programs eligibility requirements. It is the responsibility of every staff member, not just Virginia Employment Commission Disabled Veterans' Outreach Program (DVOP) and Local Veterans' Employment Representatives (LVER), to ensure that U.S. veterans are given priority of service in all employment and training services delivered in any VWN location. The absence of DVOPs and/or LVERs at a VWN location does not exempt that office from providing priority of services

to veterans. As defined in TEGL 5-03, “affected programs “include, but are not limited to:

1. Workforce Investment Act Adult and Dislocated Worker Formula-Funded Program;
2. Wagner-Peyser Employment Services;
3. Trade Act Programs;
4. National Emergency Grants;
5. Workforce Investment Act Demonstration Projects;
6. Workforce Investment Act Youth Formula-Funded Program;
7. Career One-Stop Electronic Tools and other Internet-based self-service tools operated by the United States Department of Labor grantees.

Veterans and other eligible individuals must meet existing program guidelines to receive priority. A “covered person” under PL 107-288 is defined as a veteran or an eligible person, (usually the spouse of a veteran who meets certain specific categories as shown below):

1. Veteran as defined by U.S.C. Title 38:
 - a. Served on active duty for more that 180 days and was discharged with other than a dishonorable discharge;
 - b. Was discharged (regardless of length of service) because of a service-connected disability; or
 - c. Was a member of a Guard of Reserve Unit, called to active duty during a war (regardless of the length of time served) or in an operation where a campaign badge was authorized and was discharged with other than a dishonorable discharge.
2. Spouse of any of the following individuals:
 - a. A veteran who died of a service-connected disability;
 - b. Any member of the armed forces listed as missing for more than ninety days;
 - c. Any member of the armed forces forcibly detained by a foreign government or power for more that ninety days; or
 - d. Any veteran who died while a disability so evaluated was in existence.

All entities receiving federal funds are responsible for having a method/system in place to monitor Veterans’ priority of service as it relates to their programs. Each is responsible to their own funding stream and it is not a VEC responsibility to monitor these efforts by other programs and/or functions. Managers for each program will review processes that are utilized to implement Veterans’ priority of service, as well as statistical outcomes to ensure compliance with this public law.

Questions concerning Veterans Programs covered by this memorandum may be directed to Jerry Lindsey, Veterans’ Services Coordinator, at (804) 786-5693.

Questions concerning the Governor’s Office of Workforce Development (GOWD) Programs covered by this memorandum may be directed to Paula Dehetre at (804) 225-4114.