



## Mid-Maryland Veteran Policy

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**TO:** All Staff

**FROM:** Francine Trout, Director, Director, Mid-Maryland Workforce Development Area

**DATE:** February 24, 2016

**EFFECTIVE DATE:** Immediately

**SUBJECT:** Veteran Policy

Effective **immediately** the following Veteran Policy is to be implemented:

To meet the training and employment needs of Veterans, the Mid Maryland WDA administers employment and training services to meet the workforce needs of veterans and spouses. These programs are universally accessible to all eligible job seekers; however, certain veterans and eligible spouses receive Priority of Service.

Per DLLRs Policy Issuance *Employment Services for Veterans* dated February 24, 2016 the following describes Veteran's Priority of Service.

Priority of Service is to give first consideration for program participation to covered veterans and eligible spouses who also meet the eligibility criteria of a USDOL training, employment, or placement service in any workforce preparation program.

**Priority of Service may mean:**

- A covered person gains access to services or resources earlier than the non-covered persons;
- A covered person receives service or resources instead of a non-covered person when resources are limited;
- A covered person is placed at the top of a waiting list for the formation of a training class.

**Veterans Priority of Service should take precedence before applying WIOA Priority of Service for recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.**

For universal access programs, such as **Wagner-Peyser services**, covered persons must receive **Priority of Service over all other program participants.**

## Eligible Veterans

For WIOA programs, Priority of Service is available to any Veteran who has served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable, as defined by 38 U.S.C. 101(2). This definition includes Reserve units and National Guard units activated for Federal Service.

## Eligible Spouses

Priority of Service is also available to any “**eligible spouse**” of a Veteran. As defined by 38 U.S.C. 4215(a)(B)(i- iv), a spouse is eligible if he or she meets any of the following four categories:

1. A spouse of any Veteran who died of a service-connected disability;
2. A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than 90 days:
  - Missing in action;
  - Captured in the line of duty by a hostile force; or
  - Forcibly detained or interned in the line of duty by foreign government or power.
3. Spouse of any Veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs; or,
4. A spouse of any Veteran who died while a disability was in existence.

A spouse whose eligibility is derived from a living Veteran or service member, as is the case with Category 2 and Category 3, would lose his or her eligibility if the Veteran or service member was to lose the status that is the basis for the eligibility (e.g. if a Veteran with a total service-connected disability were to receive a revised disability rating at a lower level). Similarly, a spouse whose eligibility is derived from a living Veteran or service member would lose that eligibility upon divorce from the Veteran or service member. However, a spouse who qualifies under Category 1 or Category 4 would not lose covered status through subsequent remarriage.

## Verifying Veteran Status

Any individual **self-identifying** as a covered person should be **provided immediate priority** in the delivery of employment and training services. It is neither necessary nor appropriate to require an individual self-identifying as a veteran or eligible spouse to verify his or her status at the point of entry unless the individual who self-identifies as a covered Veteran or eligible spouse:

1. Is to immediately undergo eligibility determination and must be registered or enrolled in a program; or,
2. The applicable Federal program rules require verification of covered Veteran or eligible spouse status at that time.

Similarly, a covered person should not be denied access on a priority basis to any services provided by program staff in order to verify covered person status. Rather, *an individual self-identifying as a Veteran or eligible spouse should be enrolled and provided immediate priority and then be permitted to follow-up subsequently with any required verification of his or her status as a Veteran or eligible spouse.*

**For services that require eligibility verification, such as classroom training, verification only needs to occur at the point at which a decision is made to commit the use of outside resources.**

For example, to receive training services under WIOA Title I programs, veteran status must be verified. In cases such as these, verification is only necessary where a decision is made to commit outside resources to a covered person over another individual. For all other purposes, covered persons should be enrolled and provided immediate priority before providing verification as a covered person.

To receive Priority of Service for career services, covered persons may **self-attest** their veteran or eligible spouse status.

### **Veterans and Spouses as Dislocated Workers**

WIOA Title I Dislocated Worker Funds can help Veterans, separating service members, and eligible spouses to enter or reenter the civilian labor force. To receive services under the WIOA Title I Dislocated Worker Program, a Veteran or eligible spouse must be a dislocated worker. By definition, according to WIOA, a dislocated worker is an individual who:

1. Has been terminated or laid off, or received a notice of termination or layoff from employment;
2. Is eligible for, or has exhausted, unemployment insurance (UI) benefits;
3. Has demonstrated an appropriate attachment to the workforce, but is not eligible for UI and is unlikely to return to a previous industry or occupation;
4. Has been terminated or laid off, or **received notification** of termination or layoff from employment as a result of a permanent closure or substantial layoff;
5. Is employed at a facility where the employer has made the general announcement that the facility will close within 180 days;
6. Was self-employed, but is unemployed as a result of general economic conditions in the community or because of a natural disaster;
7. Is a displaced homemaker as defined by WIOA 3(16); or,
8. Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of Title 10, U.S.C.), and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or is the spouse of a member of the Armed Forces on active duty and is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

**Generally, service members exiting the military, including, but not limited to, recipients of Unemployment Compensation for Ex-Military members (UCX), qualify as dislocated workers. Active duty service members who separate by retirement may also qualify as dislocated workers. However, an active duty service member taking early retirement as an incentive must be taken on a case by case basis. In some cases, this type of separation may be the only choice a service member may have. Thus, the service member's retirement could be considered a *dislocation*. However, if the service member's separation is voluntary, then the service member would not qualify as a dislocated worker.**

If a Veteran meets the definition of a dislocated worker, then he/she may also be eligible to receive Priority of Service. For WIOA Title I programs, Priority of Service is available to any Veteran who has served at least one day in the active military, naval, or air service, and who was discharged or released under conditions other than dishonorable. AJCs may consider documentation of a service member's release from active duty on a specific date as equivalent to a layoff notice for WIOA Dislocated Worker Program eligibility. However, service members are not eligible for Priority of Service until they leave active duty.

In the case of separating service members, because they may be on a terminal leave from the military, a separating service member may begin to receive career services while the service member may still be part of the Active Duty military, but has an imminent separation date. It is appropriate to provide career services to separating service members who will be imminently separating from the military, provided that their discharge will be anything other than dishonorable.

#### **ASSISTANCE WITH LOST DD214**

To receive training services under WIOA, Veteran status must be verified. Veteran status is most commonly verified by review of an original or photocopy of a Veteran's Certificate of Release or Discharge from Active Duty, which is commonly known as the –DD-214 Form.

If a Veteran has lost his or her DD-214 Form, Mid-MD staff should be aware of the available resources to help him or her retrieve a duplicate. Mid-MD staff should also inform the Veteran that Veteran status can be verified alternatively, by cross-matching another official document, such as a letter from the VA that certifies Veteran status, with the available Veterans' data (see below).

A LWDA director or designee may also approve verification from another official source, which can be cross-matched with available Veterans' data. The following resources are available to Veterans or next of kin to obtain a copy of the DD-214 Form:

- The United States National Archives and Records Administration's eVetRecs website, at: <http://www.archives.gov/veterans/military-service-records/>
- The Department of Veterans' Affairs and the Department of Defense's Gateway to Benefit Information: [www.ebenefits.va.gov](http://www.ebenefits.va.gov);
- Fort Knox, for Army personnel: **888-276-9472**;
- The Maryland VA Baltimore Regional Office is available at **800-446-4926, ext. 6450** for:
  - World War II Veterans, who were Maryland residents at the time of entry into the service, or
  - Veterans discharged from service after October 15, 1979 and who had a Maryland address at the time of discharge;
- The National Archives may be contacted by mail, if internet access is unavailable:

National Archives & Records  
Administration  
8601 Adelphi Road  
College Park, MD 20740-6001  
**1-314-801-0800**  
Fax: **301-837-0483**

National Personnel Record Center (NPRC)  
1 Archives Drive  
St. Louis, MO 63138  
Fax: 301-837-0483  
[mpr.status@nara.gov](mailto:mpr.status@nara.gov)