



INDIANA  
**WORKFORCE**  
DEVELOPMENT  
AND ITS **WorkOne** CENTERS

**TO:** Indiana's Workforce Investment System

**FROM:** Teresa L. Voors *TV*  
Commissioner, Indiana Department of Workforce Development

**THROUGH:** Greg Vollmer *GV*  
Deputy Commissioner, Field Operations

**DATE:** July 8, 2009

**SUBJECT:** DWD Policy 2009-01  
Priority of Service for Veterans and Eligible Spouses and Required Roles and Responsibilities of Disabled Veterans' Outreach Program (DVOP) Specialists and Local Veterans' Employment Representatives (LVER) in Indiana Department of Workforce Development's Integrated WorkOne Offices

**Purpose**

To explain Priority of Service for Veterans and Eligible Spouses, required roles and responsibilities for Disabled Veterans' Outreach Program (DVOP) Specialists and Local Veterans' Employment Representatives (LVER) staff in Indiana Department of Workforce Development's (DWD) integrated WorkOne offices.

**Rescission**

DWD Policy 2008-15, issued December 30, 2008

**Background**

The Veterans' programs at the Indiana Department of Workforce Development (DWD) are funded by the United States Department of Labor's Veterans' Employment and Training Services (VETS). DWD is required to stay within the parameters of Title 38, United States Code, regarding the utilization of Disabled Veterans' Outreach Program (DVOP) specialists and Local Veterans' Employment Representatives (LVER) staff in an integrated WorkOne environment and to implement policy required by the U.S. Department of Labor's Final Rule on Priority of Service to Veterans and Eligible Spouses.

## **Content**

Title 38, Chapters 31, 41, and 42, Public Law 107-288, and U. S. Department of Labor Veterans' Program Letter 07-05, dated July 27, 2005, clarify the roles and responsibilities of veterans' staff. To further improve service to veterans, the Priority of Service to Veterans and Eligible Spouses (Final Rule) was published in the December 19, 2008 edition of the Federal Register and is effective January 19, 2009, giving specific guidance on how Workforce Investment Act (WIA) service providers, Wagner-Peyser staff, DVOPs and LVERs are to serve veterans in respect to priority of service. Veteran and eligible spouse customers should be identified upon entry at a WorkOne and allowed to move to the front of the waiting line. To assist with identifying veterans and eligible spouses, Priority of Service signs have been developed and are posted in all WorkOne offices where veterans are served. Signs are framed and displayed in a manner where the public and especially veteran and eligible spouse customers can easily see them. In accordance with the priority of service sign, eligible veterans and eligible spouses should notify staff upon entry into the facility. Typically, this will be near the entry point. Customers with visual impairments must be asked if they are a veteran or eligible spouse.

Under normal operating circumstances, all WorkOne customers are greeted by the welcome team and moved on to the appropriate staff for assistance. The majority of veterans should be served by Wagner-Peyser or WIA staff rather than the Veterans' staff. This allows Veterans' staff efforts to focus on veteran customers with major barriers to employment in accordance with 20 CFR, Part 1010, Priority of Service for Covered Persons; Final Rule. Examples of major barriers to employment, as identified by Department of Labor WIA Adult Regulations, are characteristics that may hinder an individual's hiring, promotion or participation in the labor force. Identification of these barriers will vary by location and labor market. Some examples of individuals who may face barriers to employment include: single parents, women, displaced homemakers, youth, public assistance recipients, older workers, substance abusers, teenage parents, ethnic minorities, and those with limited English-speaking ability or a criminal record or with a lack of education, work experience, credential, child care arrangements, transportation or alternative working patterns.

Welcome team staff should identify those veterans with barriers to employment and direct those veterans to the Disabled Veterans' Outreach Program specialist for assistance and case tracking. In the event that a DVOP is not available, the LVER may be utilized. Veterans' staff will make themselves available to veteran customers on those days when the volume of traffic in a WorkOne office is high and staff may be experiencing delays, ensuring that veteran and eligible spouse priority of service is delivered.

Federal regulations require that all individuals who are veterans be identified as veterans in the Wagner-Peyser labor exchange system but there are no eligibility requirements. DWD Policy 2007-25, dated April 4, 2008, states in the Eligibility Requirements-Veterans' Employment and Training Services (VETS) Program (Attachment B, page 9) that "For informational, self-service and staff assisted core services, participants may self attest to their status as a Veteran, Other Eligible or Transitioning Service member. Staff must record Veteran's status in TrackOne." Also, in that policy in Attachment C, page 4, the Data Element Validation (DEV) Requirements-Demographic Information Data Elements for Veteran Status, it explains "For participants who self-identify as a veteran and receive intensive/training services, staff must complete the veteran's information section of the TrackOne application. For these participants, data verification source documentation is required." Allowable Data Verification sources are 1) Scanned or paper copy of DD-214 or 2) Cross match with veterans data.

As stated previously, a veteran may self-attest that he/she is a veteran. It is recommended that WorkOne Offices develop a self-attestation form for veterans to review and sign on their initial visit. A "statement of service" from the National Military Personnel Records Center, a letter from the Veterans' Administration, or any document identifying the individual as a service-connected disabled veteran may also be used as proof of veterans' status. Veterans' staff will be able to identify those other individuals who meet the requirements for veterans' status and which documents are acceptable. In addition, veterans' staff will be able to identify those who are "transitioning service members" eligible for veteran status.

### **Priority of Service**

WorkOne offices are to ensure that Priority of Service is observed. The definition of veteran and other eligible as defined in 20 CFR Part 1010 is:

The term "covered person" means the following individuals:

- (1) A veteran.
- (2) The spouse of any of the following individuals:
  - (i) Any veteran who died of a service-connected disability.
  - (ii) 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: (I) missing in action, (II) captured in line of duty by a hostile force, or (III) forcibly detained or interned in line of duty by a foreign government or power.
  - (iii) Any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans' Affairs.
  - (iv) Any veteran who died while a disability, as indicated in (3) above, was in existence.

In the December 19, 2008 Federal Register, 20 CFR, Part 1010 issued by the Veterans' Employment and Training Service, Department of Labor, regarding Priority of Service for Covered Persons (Final Rule), it says in part:

*The Jobs for Veterans Act (JVA), and the priority of service it requires, is an important acknowledgment of the sacrifices of the men and women who have served in the U. S. armed forces. The Department's strategic vision for priority of service to covered persons honors veterans and eligible spouses of veterans as our "heroes at home" and envisions that DOL-funded employment and training programs, including the publicly-funded workforce investment system, will identify, inform and deliver comprehensive services to covered persons as part of strategic workforce development activities across the country.*

*Those veterans who have sustained injuries or illnesses as a result of their military service may require additional support in developing skills to secure employment. Similarly, those spouses of recently separated veterans who are eligible for priority also may need employability development assistance. The Department of Labor, the Department of Defense and the Department of Veterans Affairs are collaborating in closely monitoring the rehabilitation of wounded and injured veterans assessing their job readiness and assisting their preparation for civilian employment. In those instances in which civilian employment does not appear to be a realistic objective for the veteran, employability development activities should, if appropriate, focus upon the spouse who is eligible for priority. These "heroes at home" should be immediately provided the full array of employment and training service to ensure that they make a successful transition into employment that supports their economic independence.*

The Final Rule further publishes the following guidance to ensure that priority of service is offered to all veterans and eligible spouses in all State facilities and WorkOne Offices. This guidance can be found by visiting <http://www.dol.gov/vets/> and clicking the fact sheet link, which was developed by DOL from excerpts of the Jobs for Veterans Act (JVA), the Veterans' Benefits, Health Care, and Information Technology Act of 2006, and TEGL 5-03. The final rule includes:

### **What is Priority of Service?**

As defined in Section 2(a) of the JVA (38 U.S.C. 4215(a)) "priority of service: means, with respect to any qualified job training program, that a covered person shall be given priority over a non-covered person for the receipt of employment, training, and placement services provided under that program, notwithstanding any other provisions of the law."

Priority in the context of providing priority of service to veterans and other covered persons in qualified job training programs covered by the Final Rule means the right to take precedence over non-covered persons in obtaining services. Depending on the type of service or resource being provided, taking precedence may mean:

1. The covered person receives access to the service or resource earlier in time than the non-covered person; or
2. If the service or resource is limited, the covered person receives access to the service or resource instead of or before the non-covered person.

The implementation of priority of service does not change the intended function of a program or service. Covered persons must meet all statutory eligibility and program requirements for participation in order to receive priority for a program or service.

### **Identifying and Informing Covered Persons**

The regulations state that policies be put in place by the State Agency, its local workforce investment boards, one-stop career centers and local workforce preparation and training providers requiring all recipients of funds for qualified job training programs to identify covered persons at the point of entry to programs and/or services so they can be given the opportunity to take full advantage of priority of service. Point of entry includes physical locations, such as One-Stop Career Centers, as well as web sites and other virtual service delivery resources.

These processes shall ensure that covered persons are aware of:

1. Their entitlement to priority of service
2. The full array of employment, training, and placement services available under priority of service; and
3. Any applicable eligibility requirements for those programs and/or services.

### **Monitoring for Compliance with Priority of Service**

The U. S. Department of Labor will monitor recipients of funds for qualified job training programs to ensure that covered persons are made aware of and provided priority of service. Monitoring will be performed jointly by the Veterans' Employment and Training Service (VETS) and the DOL agency responsible for the program's administration and oversight. A recipient's failure to provide priority of service to covered persons will be handled in accordance with the program's established compliance review processes. In addition to the remedies available under the program's compliance review process, a recipient may be required to submit a corrective action plan to correct such failure.

### **Disabled Veterans' Outreach Program Specialists (DVOP)**

In Veterans' Program Letter 07-05, DVOP specialists facilitate intensive services to veterans with barriers to employment and/or special training needs which include:

1. Conducting an assessment (minimum requirement)
2. Developing a plan of action that is documented (minimum requirement)
3. Providing career guidance
4. Coordinating supportive services
5. Making job development contacts
6. Providing referrals to training
7. Making referrals to job openings

To meet these requirements, the DVOP specialist should to be placed in the WorkOne office's Skills Function Team (or its equivalent).

The DVOP specialist is the DWD case tracker for veterans in the United States Department of Veterans Affairs Vocational Rehabilitation and Employment Program (Title 38, Code of Federal Regulations, Chapter 31). This program requires extensive follow-up and the DVOP specialist must be allowed sufficient time to do the paperwork necessary to meet the requirements. The DVOP specialist should work closely with the WorkOne Employer Services Function team to ensure that veterans in Chapter 31 programs who are "work ready" receive priority of service in their job search.

Case notes for veterans in the Chapter 31 program are confidential and must be kept separate from other case management files. Specific veterans' disability data may not be recorded in any computer system without a veteran's permission. The only data that can be recorded without the veteran's permission is the percentage of disability rated by the US Department of Veterans Affairs. In accordance with Department of Labor Veterans' Employment and Training Service (DOL-VETS) Technical Assistance Guide dated December 2008, DVOPs are required to complete a service every two weeks on Chapter 31 Veterans whom they are case managing. Typically, this service will also be recorded in TrackOne under the Chapter 31 Case Management selection.

The DVOP specialist is the resident expert on programs available to assist disabled veterans in improving their skills so they can take the next step up in their careers. That would include classes the DVOP may present and other classes at the WorkOne office, and the programs available through the Veterans' Administration such as Vocational Rehabilitation and Employment Program Services (VOC REHAB) and other programs that may be funded through Veterans Workforce Investment Programs (V-WIP) or other sources.

The DVOP specialist is required to do outreach projects that reach out to disabled veterans.

The DVOP specialist should also be encouraged to spend a minimum of 2 hours or more a month at each of the county Veterans' service offices covered by the WorkOne in which they are assigned. The county Veterans' Service Officer should be given the DVOP specialist's schedule so the officer can set up appointments for the DVOP to speak to individuals or groups needing job-related assistance.

The DVOP specialist will devote a minimum of 4 hours per month at outreach-based facilities that assist disabled veterans. VPL 07-05 identifies these facilities as:

- (1) Vocational Rehabilitation & Employment (VR&E) Service
- (2) Homeless Veterans Reintegration Program (HVRP)
- (3) VA Medical Centers and Vet Centers
- (4) Veterans' Administration Community Based Outpatient Clinic (CBOC)
- (5) Homeless shelters
- (6) Civic and service organizations
- (7) Community Stand Downs
- (8) Military installations
- (9) WIA partners
- (10) State Vocational Rehabilitation Services

DVOPs will coordinate outreach activities with their functional and administrative supervision to ensure minimum operational impact at the WorkOne Office of assignment.

#### **Local Veterans' Employment Representatives (LVER) Staff**

In Veterans' Program Letter 07-05, the following are the mandated functions for the Local Veterans' Employment Representative staff:

1. As an integral part of the State's Labor Exchange System, LVER staff work with other service providers to promote veterans as job seekers who have highly marketable skills and experience.
2. LVER staff advocate for veterans for employment and training opportunities with business, industry and community-based organizations. To accomplish this, LVER staff participate in a variety of outreach activities including, but not limited to:
  - Planning and participation in job fairs
  - Coordinating with unions, apprenticeship programs, and business organizations to promote employment and training opportunities for veterans.
  - Promoting credentialing and training opportunities for veterans with training providers and licensing agencies.
3. LVER staff establish, facilitate and/or maintain regular contact with employers to include federal contractors. They should coordinate with employer relations representatives as part of the WorkOne system to include veterans in their marketing efforts.
4. LVER staff provide and facilitate a full range of employment, training and placement services to meet the needs of veterans with priority given to targeted categories identified and approved in the State Plan. These series may include, but are not limited to:
  - Conducting job search assistance workshops
  - Providing job development and referrals
  - Providing vocational guidance
  - Providing labor market information
  - Providing referrals to training and supportive services

The LVER should be placed in the WorkOne Employment Team (or equivalent) or Business Services Team (or equivalent). The difference between the LVER and any other member of the team is that the LVER advocates for veterans for employment and training opportunities with business, industry, unions, and community-based organizations. They ask employers specifically to seek veterans for positions in their companies. Optimally, the employer would target specific positions for veterans with certain skills (based on the veterans' military training/military occupational specialty). Under no circumstances will the LVER provide related services to non-veteran customers unless the customer is an eligible spouse covered by priority of service.

The LVER must be comfortable speaking in public and able to instruct. LVER staff should be encouraged to attend meetings of the local Chamber of Commerce, area unions, and veterans' organizations to promote all the WorkOne services, both as a networking tool and for the opportunity to speak about veterans' programs. Many of these opportunities will occur outside normal work hours and the LVERs should be able to adjust their work schedules during the pay period.

#### **Outreach Accountability**

In order to maintain accountability for time spent on outreach, each LVER and DVOP shall report the results of their outreach activities including travel logs in writing via e-mail to their WorkOne Local Management Staff. If necessary, copies of these documents will be provided to formal State Managers. These reports will be used by the LVER staff, Regional Operators, and the Marion County Workforce Investment Board, to produce the required quarterly reports to the State Veterans Coordinator and U. S. Department of Labor Veterans' Employment and Training Services as required in Public Law 107-288. Outreach activities will be reviewed by supervisors and those that are determined by the management team to be unproductive may be discontinued.

#### **National Veterans Training Institute (NVTI)**

All DVOPs and LVERs are required to attend veteran related courses at NVTI within three years of assignment or hire. Typically, most veteran representatives will attend at least two courses offered by NVTI. In some instances, the DWD State Veterans Coordinator may elect to send veterans representatives to additional courses based on career development.

#### **Indiana Seamless Transition Program**

In some instances, Veteran Representatives will be called upon to assist with the State of Indiana Seamless Transition Program for State Guard and Reservists returning from deployment.

#### **Rapid Response for Dislocated Veterans**

At a minimum, the LVER should be a part of the Rapid Response Team at selected Rapid Response events for dislocated veterans, ensuring that priority of service is offered to those particular veterans eligible for various programs.

**Common Measures**

Indiana Veterans' programs use U. S. Department of Labor negotiated Common Measures for outcomes, and the Marion County Workforce Investment Board, the SWIC as the Balance of State Workforce Investment Board, Regional Workforce Board Chairs and Regional Operators are charged with the responsibility of meeting VETS Common Measures. Indiana's Veterans' Common Measures are negotiated separately with the U. S. Department of Labor.

**Review Date**

July 1, 2011

**Ownership**

State Veterans' Employment and Training Service (VETS) Coordinator

Field Operations

Indiana Department of Workforce Development

10 North Senate Avenue

Indianapolis, Indiana 46204

Telephone: 317.232.0647

**Effective Date**

Immediately

**Action**

Indiana's Workforce Investment Boards which are the State Workforce Innovation Council as the Balance of State Workforce Investments Board and the Marion County Workforce Investment Board, the Indianapolis Private Industry Council, and the Regional Workforce Boards, Regional Operators and all providers of training shall follow the guidance contained within this policy when managing and overseeing the required activities of Veterans' programs and its staff. They are instructed to distribute the information to appropriate staff.