



Priority of Service



Key Term

Eligible
Veteran

Eligible
Spouse

Covered
Person

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graph TD; A[Eligible Veteran] --> C((Covered Person)); B[Eligible Spouse] --> C;
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Priority of Service for Veterans In Texas Law

**Texas Labor Code §302.151, .152 and
.153, Priority Of Service In Job Training
And Employment Assistance Programs**



Priority of Service Definitions From 38 U.S.C. Section 4215

Covered Person

"Covered person" has the meaning assigned by 38 U.S.C. Section 4215(a). The term includes the spouse of any member of the armed forces who died while serving on active military, naval, or air service.

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Definition of Veteran

Texas Labor Code §302.151

Has the meaning assigned by 38 U.S.C.

Section 101(2).....a person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable. Active services include full-time duty in the National Guard or a Reserve component, other than full-time for training purposes.



Priority of Service Definitions From 38 U.S.C. Section 4215

Eligible Spouse

- (a) The spouse of any veteran who died of a service-connected disability;
- (b) The 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 line of duty by a hostile force; or
 - forcibly detained or interned in line of duty by a foreign government or power;




Priority of Service Definitions From 38 U.S.C. Section 4215

Eligible Spouse

Continued

- (c) The spouse of any veteran who has a total disability resulting from a service-connected disability, as evaluated by the Department of Veterans Affairs;
- (d) The spouse of any veteran who died while a disability, as indicated in paragraph (3) of this section, was in existence.
- (e) The spouse of any member of the armed forces who died while serving on active military, naval, or air service.



What Does Priority of Service Mean? Texas Labor Code §302.151

Priority of service means the right of covered persons to take precedence over non-covered persons in obtaining services.

- Taking precedence can mean:
 - Covered persons receive access to workforce services before non-covered persons ; or
 - If services are limited, covered persons receive access to services instead of or before non- covered persons.

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Priority of Service In Action

Priority of service entitles covered persons to receive services ahead of or instead of non-covered persons.

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Priority of Service In Action

Example

The office waiting room contains five individuals who have applied for services. The receptionist identifies two of the individuals as covered persons. The two covered persons would move to the top of the wait list and would have their applications processed prior to the non-covered persons.



Priority of Service In Action

Example

A group of 10 individuals have met the eligibility requirements to receive grant services, but there are only enough slots for 8. Three of the group have been identified as being **covered persons** . The three **covered persons** would fill the first three slots and the remaining slots could be filled with non-covered persons.

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Displacement

What Priority of Service doesn't mean:

- Non-covered persons who are currently receiving workforce services are not displaced in order to provide priority of service to covered persons
- Slots are not “reserved” for covered persons