

TEXAS WORKFORCE COMMISSION LETTER

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| ID/No: | WD 32-03, Change 3 |
| Date: | December 20, 2010 |
| Keyword: | WIA |
| Effective: | Immediately |

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Workforce Investment Act: Updated *Workforce Investment Act Eligibility Guidelines***

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information on the updated *Workforce Investment Act (WIA) Eligibility Guidelines*, specifically the expedited WIA dislocated worker eligibility requirements for:

- Rapid Reemployment Services (RRES) participants; and
- unemployment insurance (UI) claimants.

This update provides Boards with revised options for establishing Category 1 eligibility for RRES participants; specifically:

- **the removal of the Job Service Matching System (JSMS) AD17 screen, effective December 15, 2010; and**
- **the addition of the WorkInTexas.com weekly RRES outreach list.**

BACKGROUND:

The Workforce Investment Act of 1998 sets overall WIA policy goals, yet provides considerable discretion to Boards for implementation of WIA services. WIA requires that Boards document the eligibility of adult, dislocated worker, and youth participants served with WIA funds in their local workforce development areas.

The Texas Workforce Commission previously revised the documentation requirements for determining dislocated worker eligibility for RRES participants and UI claimants to:

- expedite the process; and
- reduce Board and participant documentation burden.

CHANGES TO WD LETTER 32-03, Change 2:

New information in this WD Letter is indicated by:

- A strikethrough of the original language, which indicates that language has been deleted; and
- **Bold** typeface, which indicates new or clarifying language.

PROCEDURES:

Boards must use the updated *WIA Eligibility Guidelines* and Documentation Log, which contain expedited WIA dislocated worker eligibility requirements for RRES participants and UI claimants.

NLF

Boards must be aware that, effective December 15, 2010, the JSMS AD17 screen will no longer be available.

NLF

Boards may establish eligibility under Category 1 of the dislocated worker program for an RRES participant by one the following:

LF

- ~~A screen print of the AD17 RRES outreach list showing the participant's name;~~
- **WorkInTexas.com weekly RRES outreach list;**
- A copy of the RRES outreach letter sent to the participant; or
- Verification through WorkInTexas.com. The RRES indicator—a dollar sign with a red background—appears in the WorkInTexas.com automated file for each RRES participant.

Boards may establish eligibility under Category 1 of the dislocated worker program for a UI claimant by one of the following:

LF

- UI Screen – *Current Claimant Status (CTCS)*; or
- UI Award Letter.

The *WIA Eligibility Guidelines* and Documentation Log, available at www.twc.state.tx.us/boards/wia/txwia.html, will be updated to reflect this information.

Note: The *WIA Eligibility Guidelines* and its associated desk references are updated online, as necessary. It is recommended that Boards retain the guidelines issued with WD Letter 32-03: “Workforce Investment Act: ‘New Guidelines for Determining Workforce Investment Act Eligibility,’” and all prior versions of the desk references, for monitoring purposes. Prior versions of eligibility criteria support the eligibility of participants enrolled while the previous eligibility guidelines were in effect.

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

WD Letter 32-03, Change 2

REFERENCE:

Workforce Investment Act

Americans with Disabilities Act, 42 U.S.C. §12102

United States Department of Labor Training and Employment Guidance Letter 8-98,
issued November 4, 1998, and entitled "Selective Service Registration"

United States Department of Labor Training and Employment Guidance Letter No. 5-03, issued
September 16, 2003, and entitled "Implementing the Veterans' Priority Provisions of the 'Jobs
for Veterans Act' (PL 107-288)"

United States Department of Labor Training and Employment Guidance Letter No. 17-05, issued
February 17, 2006, and entitled "Common Measures Policy for the Employment and Training
Administration's (ETA) Performance Accountability System and Related Performance Issues"

United States Department of Labor Training and Employment Notice No. 9-06, issued August 15,
2006, and entitled "Timeline for Program Year (PY) 2005 Workforce Investment Act (WIA)
Performance Reporting and PY 2005 Data Validation (all programs)"

Texas Family Code §264.101

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by "must" or "shall."

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by "may" or "recommend."