

TEXAS WORKFORCE COMMISSION LETTER

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Keyword:	Recovery Act; SNAP E&T; TANF/Choices; TWIST; WIA
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers
Laurence M. Jones for

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

Subject: **Transportation Services and Job Access and Reverse Commute Projects**

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information and changes related to:

- the provision of transportation services to Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) and Choices participants;
- updated information on the use of American Recovery and Reinvestment Act (ARRA) of 2009 funds as match for Job Access and Reverse Commute (JARC) projects; and
- the removal of Texas Department of Transportation (TxDOT) funds as an allowable fund source for workforce services.

BACKGROUND:

As of September 1, 2009, the Texas Workforce Commission (Commission) will no longer receive funds from TxDOT to provide transportation services to Choices and SNAP E&T customers. Boards will provide necessary transportation services using their Choices and SNAP E&T allocations.

JARC project funds continue to be available to help Boards maximize transportation services in their local workforce development areas (workforce areas). JARC was created on June 9, 1998, as part of the Transportation Equity Act of the 21st Century (TEA-21). On August 10, 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users (SAFETEA-LU) was enacted. It amended TEA-21 and reauthorized JARC.

The goal of JARC is to address the unique transportation challenges that public assistance recipients and low-income individuals face when seeking and keeping

jobs. Because many entry-level jobs are located in suburban areas, these individuals struggle to access jobs from inner city, urban, and rural neighborhoods. Further, many entry-level jobs require working late, at night, or on the weekends when conventional transit services are reduced or nonexistent.

There are two types of JARC projects:

- Access to jobs (job access)
- Reverse commute

Job access projects provide transportation services to public assistance recipients and low-income individuals—including economically disadvantaged persons with disabilities—in urban, suburban, and rural areas to and from jobs and employment-related activities.

Reverse commute projects provide transportation services to the general public from urban, suburban, and rural areas to suburban employment opportunities.

SAFETEA-LU allows for local match for JARC projects to be derived from other federal funds. These federal funds can be pulled from federal programs other than U.S. Department of Transportation programs, as long as they are eligible to be expended on transportation.

Potential sources of match include:

- employment and training funds;
- vocational rehabilitation services funds;
- Temporary Assistance for Needy Families (TANF)/Choices funds; and
- SNAP E&T funds.

With the passage of SAFETEA-LU, JARC funding is allocated by formula to states for areas with populations below 200,000, and to designated recipients in areas with populations of 200,000 or more. In Texas, TxDOT is the designated agency responsible for JARC project selections for areas with populations below 200,000. TxDOT announces Requests for Proposals for JARC projects through the *Texas Register* and is responsible for awarding and overseeing JARC grants. For urbanized areas with populations over 200,000, the governor designates entities to apply directly to the Federal Transit Administration for JARC grants. Additional information is available at www.fta.dot.gov.

Additional information on JARC projects is available in Attachment 1 to this WD Letter.

PROCEDURES:

Boards must be aware that they are no longer required to enter into transportation contracts with the Commission.

NLF

Choices

Boards must use TANF/Choices funds to provide transportation assistance if alternative transportation resources are not available to Choices participants.

NLF

Boards must use TANF/Choices funds to provide transportation assistance for Choices participants to:

NLF

- work;
- attend and participate in required Choices activities; and
- access necessary support services.

Boards must ensure that costs to provide transportation assistance are:

NLF

- reasonable and necessary for participation in Choices activities; and
- based on the methods and amounts determined by each Board to be consistent with state policy that requires the most economical means of transportation that meet the Choices participant’s needs.

SNAP E&T

Boards must use SNAP E&T funds to provide transportation assistance if alternative transportation resources are not available to SNAP E&T participants.

NLF

Boards must use SNAP E&T funds to provide transportation assistance for SNAP E&T participants to:

NLF

- work;
- attend and participate in required SNAP E&T activities; and
- access necessary support services.

Boards must be aware that, effective September 1, 2009, SNAP E&T funds may be used for up to 90 days to assist a SNAP E&T participant with retaining full- or part-time employment.

NLF

Boards must ensure that costs to provide transportation assistance are:

NLF

- reasonable and necessary for participation in SNAP E&T activities; and
- based on the methods and amounts determined by each Board to be consistent with state policy that requires the most economical means of transportation that meet the SNAP E&T participant’s needs.

As set forth in Commission rule §813.34, Boards must ensure that SNAP E&T participants have met all job retention criteria before providing transportation and other transportation-related assistance.

NLF

The SNAP E&T Comprehensive Guide, available at www.twc.state.tx.us/boards/guides/guides.html, addresses job retention criteria and other transportation-related information.

TWIST Reporting

Boards must be aware that, effective September 1, 2009, TWIST *Service Code 224 - TxDOT Transportation* will be inactivated.

NLF

Boards must use TWIST *Service Code 203 - Transportation* to record the receipt of transportation services by both Choices and SNAP E&T participants.

NLF

JARC Projects

Boards may maximize transportation services by:

LF

- applying for JARC project funds;
- contributing match funds for a JARC project; and
- coordinating transportation efforts with other human services agencies and transportation providers in their workforce areas through JARC or other transportation projects.

Board may use SNAP E&T, TANF/Choices, Workforce Investment Act (WIA) formula funds, and ARRA funds for JARC projects to:

LF

- implement new transportation initiatives; or
- expand existing transportation initiatives.

Boards using SNAP E&T, TANF/Choices, WIA formula funds, or ARRA funds as cash match for a JARC project must ensure that the funds are:

NLF

- used for transportation expenditures;
- allowable under the workforce service from which the match is provided;
- incurred for an allowable activity or service; and
- associated with transportation services for eligible participants served by these program funds.

Additional Reporting

Boards must report JARC match expenditures that are funded with SNAP E&T, TANF/Choices, WIA formula funds, and ARRA funds in the *655 Support Services-JARC Transportation* program cost category of the Cash Draw and Expenditure Reporting (CDER) system.

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Boards must report transportation services for Choices and SNAP E&T participants in CDER under the appropriate Choices and SNAP E&T contract.

NLF

Board that have committed TxDOT funds as a match for JARC projects that extended beyond August 31, 2009, must use other fund sources for the match requirement.

NLF

INQUIRIES:

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

ATTACHMENT:

Attachment 1: Job Access and Reverse Commute Fact Sheet

RESCISSIONS:

WD Letter 14-07
WD Letter 14-07, Change 1
WD Letter 65-07

REFERENCE:

Texas Labor Code §301.063
American Recovery and Reinvestment Act of 2009 (Public Law 111-5)
Transportation Equity Act for the 21st Century (Public Law 105-178 §3037)
Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109-59 §3018)
Texas Workforce Commission Choices Rules: 40 TAC §811.63
Texas Workforce Commission SNAP E&T Rules: 40 TAC §813.41
WD Letter 26-08, issued November 5, 2008, and entitled “Cash Draw and Expenditure Reporting System Instructions for Non-Allocated Funds to Local Workforce Development Boards and Other Texas Workforce Commission Grantees”
WD Letter 18-09, Change 1, issued June 11, 2009, and entitled “Fiscal Year 2010/Program Year 2009 Workforce Investment Act Allocations and Planning Estimates: Update”

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.”