

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 15-20
Date:	November 4, 2020
Keyword:	AEL; ES; SNAP; TAA; TANF; WIOA
Effective:	Immediately

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



From: Courtney Arbour, Director, Workforce Development Division

Subject: **Funding Public-Sector Partnerships**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance on the use of program funds for public-sector partnerships.

RESCISSIONS:

None

BACKGROUND:

The Texas Workforce Commission (TWC) mission is to promote and support a workforce system that creates value and offers employers and job seekers the opportunity to achieve and sustain economic prosperity. TWC is charged with overseeing and providing workforce development services to the employers and job seekers of Texas.

Building effective partnerships with local employers is imperative to meeting the workforce goals of both the Boards and TWC. However, using public funds for certain services for public employers may not be appropriate. This guidance is meant to clarify what types of public-sector partnerships are allowable.

PROCEDURES:

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.”

NLF: Boards must be aware that public-sector employers are employers that are:

- not privately owned or held;
- usually owned and operated by the government to provide services for its citizens; and
- funded, at least in part, through taxes.

NLF: Boards must ensure that program funds are not used to provide employer services to employers in the public sector. This includes, but may not be limited to:

- incumbent worker training; and
- customized training.

LF: Boards may use Wagner-Peyser program funds to:

- assist public-sector employers with posting jobs on WorkInTexas.com;
- host job fairs for public-sector employers; and
- provide general Wagner-Peyser services to public-sector employers.

LF: Boards may use program funds for job seeker services that take place at public-sector employers. This may include, but is not limited to, the following:

- WIOA-funded internships, work experiences, on-the-job training, transitional employment, and temporary employment;
- Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) participant work experiences and subsidized employment; and
- Temporary Assistance for Needy Families (TANF) participant–subsidized employment.

LF: Additionally, Boards may:

- use program funds to provide training services to participants in occupations that may result in public-sector employment; and
- approve, for the statewide Eligible Training Provider List, training programs that may lead to public-sector employment.

NLF: AEL grantees must comply with the contractual requirements of RFP 320-18-01, which prohibits the use of AEL funds awarded for AEL services on behalf of public employers. The prohibition applies to public employers, not employees of public institutions, meaning that a grantee must not develop or offer services specifically on behalf of a public employer designed to train the incumbent employees of the employer. Services to a public employer include, but are not limited to, services designed to educate or train the incumbent employees of a city, independent school district, community college, public hospital, or county jail.

INQUIRIES:

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

REFERENCES:

20 CFR §680.180

WIOA §134(c)(2)(A)(xii)(VII)

WIOA §134 (c)(3)(F)

WIOA Guidelines for Adults, Dislocated Workers, and Youth