



WORKFORCE SOLUTIONS
of the Coastal Bend

Board of Directors Meeting

June 25, 2020

3:00 pm

Join Zoom Meeting

<https://us02web.zoom.us/j/85357104610>

833 548 0282 US Toll-free
Meeting ID: 853 5710 4610

www.workforcesolutionscb.org

Strategic Goals

- Establish and Strengthen Partnerships
- Effectively/Efficiently Target Rural Area Services
- Increase Workforce Awareness
- Expand Innovative Services to Business
- Explore New Revenue Opportunities
- Improve Internal Efficiencies
- Refine Board Culture

Mission Statement

At Workforce Solutions of the Coastal Bend, we invest in our regional economic success through access to jobs, training, and employer services.

Value Statement

Accountability – We address our customers and co-workers in a positive manner that elevates their spirit and creates a professional, supportive workplace for staff, job seekers, and employers.

Teamwork – We combine our individual talents for the benefit of the mission and common goals leveraging our unique abilities and contributions.

Trust – We consistently deliver on our commitments to our customers and co-workers to establish strong, sustainable relationships.

Integrity – We are honest, supportive, candid in addressing difficult issues, and willing to share success to demonstrate respect and consideration for our customers and co-workers.

Tenacity – We resist giving up when the going gets tough and support our customers and co-workers in seeing that issues are resolved and the job gets done.

Understanding – We are serious and passionate about delivering our services with compassion and empathy.

Dignity – We interact with customers and co-workers professionally regardless of their backgrounds, experience, and circumstances to reflect our commitment as public servants.

Enthusiasm – We recognize the importance and value of our work and know that every day we have the opportunity to help build the economic success of our regional economy.

Disclosure and Declaration of a Conflict of Interest

Conflicts of Interest and the appearance of Conflicts of Interest shall be reported according to Board Administrative Policies #1.0.101.00 - Standards of Conduct and Conflict of Interest; and #1.0.105.00 - Reporting Conflict of Interest, Fraud, and Abuse, which were adopted by the Board of Directors on April 26, 2007.

Conflict of Interest – A circumstance in which a Board Member, Board employee, Contracted Provider, or Contracted Provider's employee is in a decision-making position and has a direct or indirect interest, particularly a financial interest, that influences the individual's ability to perform job duties and fulfill responsibilities.

Appearance of a Conflict of Interest – A circumstance in which a Board Member, Board employee, Contracted Provider, or Contracted Provider's employee's action appears to be:

- influenced by considerations of one or more of the following: gain to the person, entity, or organization for which the person has an employment interest, substantial financial interest, or other interest, whether direct or indirect (other than those consistent with the terms of the contract), or;
- motivated by design to gain improper influence over the Commission, the Agency, the Board, or the Board's Chief Elected Officials.

Code of Ethics

The Workforce Solutions Code of Ethics is a guide for dealing with ethical matters in the workplace and in our relationship with our clients and members of the community.

- We believe in respect for the individual.
- We believe all persons are entitled to be treated with respect, compassion and dignity.
- We believe in openness and honesty in dealing with the general public, the people we serve, and our peers.
- We believe in striving for excellence.
- We believe in conducting ourselves in a way that will avoid even the appearance of favoritism, undue influence or impropriety, so as to preserve public confidence in our efforts.

Special-Called Board of Directors Meeting

Join Zoom Meeting

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June 25, 2020 - 3:00 pm

AGENDA

Page

- I. Call to Order: *Gloria Perez, Chair*
- II. Roll Call: *Rosie Collin, Secretary*.....3
- III. Announcement on Disclosure of Conflicts of Interest
Conflicts of Interest or Appearances of a Conflict of Interest with items on this agenda shall be declared at this time. Members with conflicts will refrain from voting, and are asked to refrain from discussion on such items. Conflicts discovered later in the meeting shall be disclosed at that time. Note: Information on open meetings is included at the end of this agenda.
- IV. Public Comments
- V. Board Comments
- VI. Items for Discussion and Possible Action
 - 1. Discussion and possible action to require all employees, customers and members of the public to wear face coverings over their nose and mouth when in any of the career centers, including the mobile unit and other premises or when performing an activity which will require close contact or proximity to co-workers, customers, and members of the public at all times.....4
 - 2. Policy 6.0.101.00 – Emergency Management Plan.....5-7
 - 3. Policy 4.0.101.12 – Support Services.....8-19
 - 4. Policy 4.0.113.05 – OJT, Subsidized Employment and Customized Training.....20-26
- VII. Adjournment

Note: Except for expressly authorized closed sessions, meetings, discussions, and deliberations of the Board or Committees will be open to the public. Voting in all cases will be open to the public. Board members are advised

that using personal communication devices to discuss Committee and Board business during the meeting may be a violation of the Texas Open Meetings Act. Such communications also may be subject to the Texas Public Information Act.

Closed Session Notice. PUBLIC NOTICE is given that the Board may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Board elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer.

Consent Agenda. Items listed under the Consent Agenda have previously been reviewed and recommended for action by one or more Committees of the Board of Directors. All items listed under the Consent Agenda are ready for action by the full Board of Directors; however, a Board member can request that any item be pulled from the Consent Agenda for further review and discussion.

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Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities.

Deaf, hard-of-hearing or speech impaired customers may contact

Relay Texas: 1-800-735-2989 (TDD) and 1-800-735-2988 or 7-1-1 (voice)

Workforce Solutions Board of Directors
Roll Call Roster
June 25, 2020

- _____ Gloria Perez, **Chair**; Private Sector – City of Corpus Christi
- _____ Afuso, Mary; Post-Secondary Education – City of Corpus Christi
- _____ Allsup, Gary; Public Assistance Agency – City of Corpus Christi
- _____ Bowen, Sandra Julia; Private Sector – Jim Wells County
- _____ Cantu, Arnoldo; Private Sector – Duval County
- _____ Collin, Rosie, **Secretary**; Private Sector – City of Corpus Christi
- _____ De Los Santos, Ray; Private Sector – Refugio County
- _____ Florence, Tracy; CBO – Bee County
- _____ Flower, Michelle; Private Sector – City of Corpus Christi
- _____ Garza, Sara; Public Employment Service – City of Corpus Christi
- _____ Gatewood, Jesse; Organized Labor – Nueces County
- _____ Giesler, Randy; Private Sector – Live Oak County
- _____ Gleason, Mary; Literacy Council – City of Corpus Christi
- _____ Gonzalez, Jr., Victor, **Past Chair**; Private Sector – City of Corpus Christi
- _____ Goodwine, Vince, **Parliamentarian**; Private Sector – Nueces County
- _____ Hunter, Ofelia, CBO/OL – Jim Wells County
- _____ Jones, Parrish; Private Sector – City of Corpus Christi
- _____ Keener, Marcia; CBO – San Patricio County
- _____ Kelley, Kari; Private Sector – Aransas County
- _____ Lopez, Omar; Private Sector – City of Corpus Christi
- _____ Nelson, Travis, Private Sector – City of Corpus Christi
- _____ Owen, John W., **Vice Chair**; Vocational Rehabilitation Agency – City of Corpus Christi
- _____ Puig, Marc Dr., Adult Basic & Cont. Ed – Bee County
- _____ Ramirez, Carlos; Private Sector – Kleberg County
- _____ Rodriguez, Jr., Cleo; Economic Development – City of Corpus Christi
- _____ Salazar, Manny; CBO – Kleberg County
- _____ Sample, Edward; Private Sector – City of Corpus Christi
- _____ Soliz-Garcia, Velma, **Treasurer**; – Education Agency – San Patricio County
- _____ Temple, Susan, Private Sector – San Patricio County
- _____ Unda, C. Michelle; Private Sector – City of Corpus Christi
- _____ Wilson, Catrina – CBO – City of Corpus Christi

Signed

Printed Name

ITEM FOR DISCUSSION AND POSSIBLE ACTION

VI - 1. Discussion and possible action to require all employees, customers and members of the public to wear face coverings over their nose and mouth when in any of the career centers, including the mobile unit and other premises or when performing an activity which will require close contact or proximity to co-workers, customers, and members of the public at all times.

ITEM FOR DISCUSSION AND POSSIBLE ACTION

VI - 2. Board Policies Related Policies and Procedures

BACKGROUND INFORMATION

Board Professionals have reviewed and made recommended changes to the following Board policy

Policy #6.0.101.01- Emergency Management & Business Recovery/Continuity of Operations Plan

Updated policy to allow for the President/CEO to implement emergency measures under the Emergency Management Plan (“Plan”) as circumstances warrant to protect the health and safety of the employees, customers and members of the public.

RECOMMENDATION

Board Professionals recommend the approval of the policy as amended.



WORKFORCE SOLUTIONS

of the Coastal Bend

POLICY

CATEGORY:	Property and Facilities	No: 6.0.101.01
TITLE:	Emergency Management & Business Recovery/Continuity of Operations Plan	
SUPERSEDES:	6.0.101.00N/A	
EFFECTIVE:	June 2519, 2020 September 28, 2018	
BOARD APPROVAL:	September 27, 2018 June 2519, 2020	
DATE REVIEWED:	June 19, 2020 September 13, 2018	

I. PURPOSE:

To establish emergency management procedures within Workforce Career Centers, satellite offices and mobile unit(s) in the 11-county region; to provide an emergency management plan that speaks to all aspects of pre-disaster preparedness and post-disaster response. Various conditions including weather, structure/facility/utility failures/issues, and public unrest may cause this plan to be activated.

The emergency management plan will include guidance to WFSCB Board Staff, Career Center Managers and partners regarding appropriate local action to be taken in case of emergency, in compliance with the Texas Workforce Commission (TWC) Emergency Management and Business Recovery/Continuity of Operations Plan.

The safety and well-being of all staff and visitors to our facilities is our top priority. WFSCB will ensure the emergency management plan content is up-to-date and revised as necessary.

II. DEFINITIONS: N/A

III. PROCEDURES:

All Workforce Career Center service providers must adhere to guidelines outlined in the [Emergency Management Plan](#) and ensure all employees are aware of, trained in, and have access to the plan.

The safety and well-being of all staff and visitors to our facilities is our top priority. WFSCB will ensure the emergency management plan content is up-to-date and revised as necessary.

The President/CEO can implement emergency measures under the Emergency Management Plan (“Plan”) as circumstances warrant to protect the health and safety of the employees, customers and members of the public.

IV. RELATED POLICY INFORMATION:

Texas Workforce Commission (TWC) Emergency Management and Business Recovery/Continuity of Operations Plan.

V. RESPONSIBILITIES:

WFSCB Career Center managers shall disseminate to appropriate Career Center professionals and follow the procedures outlined in this policy document and Emergency Management Plan.

The Board monitor shall provide oversight and monitoring to ensure full compliance with this policy.

VI. FORMS AND INSTRUCTIONS:

[Coastal Bend Emergency Management Plan](#)

VII. DISTRIBUTION:

Board of Directors Board Professionals Service Provider Professionals

IX. SIGNATURES:

Reviewed by EO Officer

Date

President/CEO

Date

ITEM FOR DISCUSSION AND POSSIBLE ACTION

VI – 3, 4. Board Policies Related Policies and Procedures

BACKGROUND INFORMATION

Board Professionals have reviewed and made recommended changes to the following Board policies.

Policy #4.0.101.12- Support Services

Due to current COVID-19 pandemic; our communities are in need of financial support services for sustainability. Board Policy was updated as follows:

1. Added language to allow WFSCB CEO/President to implement a schedule for support services after a declared health pandemic, economic condition/crisis, or a natural disaster, for program eligible participants.
2. Increase dollar amounts for the following categories listed in Board Policy **Attachment A**.
 - Clothing/Uniforms: from \$200 to \$400.
 - Housing Assistance: from \$750 to \$1500
 - Utilities: from \$150 to \$750
3. Added allowable support service to Board Policy **Attachment A**.
 - Communication Expenses \$75
4. Remove language for Housing Assistance that would require a participant to be in full-time employment or training in order to receive housing assistance.
5. Made general updates to Section V. Related Policy Information.

Policy #4.0.113.05 – On-the-Job (OJT), Subsidized Employment, and Customized Training

Board Policy Updated as follows:

1. Removed Employer amount thresholds allowed. Current policy dictated thresholds depending on “size” of employer.
2. Adjusted allowable Subsidized Employment contracts from 12 weeks to 16 weeks for CHOICES Program.
3. Updated WIA to WIOA; and program allowance to reimburse for up to 75% wage for OJT contracts, if employer meets criteria.
4. Updated TAA - Section with updated rules as per TAA Guide issued May 2020.

5. Made general updates to Section V. Related Policy Information

RECOMMENDATION

Board Professionals recommend the approval of policies as amended.



WORKFORCE SOLUTIONS of the Coastal Bend

POLICY-DRAFT

CATEGORY:	Program Operations	No: 4.0.101.142
TITLE:	Support Services	
SUPERSEDES:	4.0.101.110, dated October 31, 2014	
EFFECTIVE:	February 21, 2020 <u>June 26, 2020</u>	
BOARD APPROVAL:	February 20, 2020 <u>June 25, 2020</u>	
LAST REVIEW:	February 6, 2020 <u>June 25, 2020</u>	

I. PURPOSE:

This policy provides guidelines to be followed in administering support services for all Board programs. These guidelines are intended to ensure consistency and fiscal accountability for the management of workforce services and programs.

II. DEFINITIONS:

Reasonable costs – A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstance prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when governmental units or components are predominately federally-funded.

III. POLICY STATEMENT:

General

Support Services are to be used as a means to assist individuals in obtaining employment and are solely intended for that purpose. All expenses must be reasonable and necessary to assist a participant in achieving the goals of his or her Individual Employment Plan (IEP). Support services are provided to individuals who have barriers to education and training, obtaining, retaining, or advancing in employment, and who require additional assistance to enable them to participate in work-related activities. Provision of services is subject to availability of resources and funding. Support services are coordinated with the employer, when appropriate.

Support services may be provided to eligible and active job seekers enrolled in workforce programs or other special initiatives such as Workforce Innovation and Opportunity Act (WIOA) ~~Intensive or Training Services~~, Choices for Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T), Non-Custodial Parent (NCP) Choices programs, and National Dislocated Worker Grants (NDWG).

POLICY TITLE: Support Services
POLICY NUMBER: 4.0.101.142

DATE: 4/26/2007
REVISION: ~~02/06/20~~ 06/25/2020

The need for support services shall be determined by an ongoing assessment with a support services plan that addresses the need(s), referrals for community services, activities for which the support service is being provided, an estimate of the amount of total funds needed, and the length of time support services will be provided.

Requests for support services shall require a budget worksheet depicting the current financial situation of the individual and shall include an assessment of all financial resources available to the individual including, but not limited to; Pell grants, student loans, scholarships, household income, Medicaid, SNAP E&T, and other sources of assistance. Counselor Notes will state how the determination to issue support service was made; information from budget worksheet must support the counselor note entry.

A Support Service designated as a One-Time Expense is defined as a single payment/purchase, no greater than the established maximum amount, and received once in a twelve-month period.

Resource and Service Coordination

Board funds will be considered a last resource for providing support services. Contracted Service Providers must ensure that support services are not available through other agencies and that they are necessary for the individual to participate in Board funded programs. The Contracted Service Provider must establish linkages for referrals to other community partners prior to using program funds. The Contracted Service Provider must establish procedures addressing coordination with other entities to ensure non-duplication of resources and services and follow up that individual needs were met.

Contracted Service Providers will maintain a complete up-to-date list of services available in the community and make the list available to all individuals. Referrals are to be made, as determined appropriate, to include low-income housing, application for Health and Human Services Commission (HHSC) benefits, low-cost medical assistance, substance abuse treatment, vocational or physical rehabilitation, and other needed services.

Allowable Support Services

The Support Services limits on amounts and duration allowable by the Board are found as an attachment to the policy. This includes limitations on co-enrolled TAA and WIOA Dislocated worker – funded support services as per WD letters referenced in Section V – Related Policy Information. For NDWG, WFSCB reserves the right to implement a support service schedule to quickly implement programs and extend support services to the affected eligible populations and communities named on the specific NDWG. The President/CEO will approve the NDWG support service schedule which may include adjustments to limits on amounts and frequency of allowable support services.

[The President/CEO may also approve allowable support services to be adjusted on limits for amounts and frequency during a declared health pandemic, economic condition/crisis, or a natural disaster, for program eligible participants.](#)

Car Repairs - Car repairs will be approved only for repairs that would allow a vehicle to be operable and safe to drive. Repairs may include: replacing worn out tires, brakes, batteries, and other essential parts. A guideline to consider in evaluating these repairs is those that are essential

for passing a vehicle state inspection. Additionally, one-time maintenance checks for oil and filter change or wheel alignments may also be allowed. Included also under allowable repairs is a diagnostic check for the evaluation of the repairs that are needed and towing charges, if the vehicle is inoperable. The towing charge may be deducted from the actual repairs if the towing is provided from the same vendor or garage conducting the diagnostic check.

Vehicle repairs are not intended for major repairs such as: replacing air conditioning compressors or major engine/transmission overhauls.

The following rules will be adhered to in request for approval of payment(s) for vehicle repairs:

- Documentation from a vendor that repairs requested are needed for the vehicle to be operable and safe;
- Verification of ownership of vehicle;
- Prepayment is prohibited;
- Payment will be paid directly to vendor after completion of repairs and receipt of invoice;

- Procurement of car repairs will require three (3) written bids; and
- Proof of issuance of current auto insurance

If the vehicle is owned by another individual, the following safeguards must be in place:

- Before inclusion of the vehicle's use in an IEP, a signed statement indicating that the participant has use of the vehicle for employment-related purposes, along with a copy of supporting ownership documentation, must be provided; and
- Before repairing a third-party vehicle, a hold harmless agreement or other protection is signed by the vehicle owner and maintained in the participant's case file.
- Proof of issuance of current auto insurance for owner of vehicle and participant

Certificate of General Equivalence (GED) Testing Payments – The cost of GED testing and certificate is paid through direct payments to the GED test centers and the Texas Education Agency (TEA). Prior to approval of payment, verification will be obtained from the educational provider that the individual is ready for testing.

Child Care - Child care services may be provided to income eligible families who need child care to support their participation in education or work activities as defined in the TWC rules and Board approved Child Care Policies.

Training or Education-Related Expenses - Actual costs of the **required items** to participate in education and training are allowable and should be listed on the degree plan or syllabi. Such item(s) include uniforms/clothing, equipment/ supplies/tools, drug tests, exams, licenses, certifications, TASP/other exams for admission.

Transportation - Transportation services are provided via the most economical means available. Public transportation agencies or other providers who have contracts or agreements with the Board and/or Contracted Service Providers and are cooperating with efforts to create a regional transportation system should have first priority. In determining the proper use of transportation services, Contracted Service Providers must evaluate the individual's need for transportation services and act prudently in determining the best method or option in terms of availability and

cost. Contracted Service Providers shall first look at public transportation as the primary means for transportation such as bus tokens or bus passes. However, if other options are considered such as [ride-sharing services](#), taxi cabs, car pools, and van shuttles (if necessary for large groups), contractor must include supporting documentation justifying the non-use of public transportation. For example, cases may exist in an emergency or in special circumstances where public transportation cannot meet the individual's needs, such as working late nights or weekends when public transit is not available, or living in remote areas lacking public transportation. Essentially, proper screening of transportation needs must be performed and the latter options used as the last resort.

Car pooling of two or more participants as a means for transportation is encouraged. Each rider may receive a travel allowance and he/she would be responsible for paying the driver.

Other services that fall under the allowable transportation costs include: fees for obtaining a driver's license, state vehicle inspections, auto insurance and a State Issued Identification Card.

Individuals between 18 and 24 years of age are required to complete a driver education course and present the original certificate of completion at the driver license office when obtaining their driver license for the first time. Customers who can show an employment or training-related need, have access to a reliable vehicle upon obtaining their driver license, and include obtaining a driver license in their Individual Employment Plan can receive one-time assistance with the expense.

Housing Assistance- support of housing expenses shall include a plan that demonstrates the customer's ability to pay the remaining balance (if applicable) and the expense in the future without assistance.

[Assistance for housing expenses may only be provided to individuals who are working full-time or attending full-time training.](#)

Utilities- utilities necessary for daily living such as electricity, water, and gas may be paid together in a single month or for no more than two months and cannot exceed the established maximum amount in a 12 month period. For example, an electric bill and a water bill may both be paid if together they do not exceed the established maximum amount.

[Communication Expenses- expenses necessary to assist towards the cost of telephone, cell phone and internet charges. Amount will be applied to basic plans, not additional added features costs.](#)

Work-Related Expenses – Work-related expenses may be paid in advance or as a reimbursement if necessary for a participant to accept or retain employment paying at least the federal minimum wage. Such expenses [include those listed on Attachment A- Support Services Limits, Allowable Support Services Column.](#) – ~~may include, but are not limited to tools, uniforms, work boots, equipment, housing expenses and the cost of vocationally required examinations or certificates.~~ More expensive items such as tools and work boots will require verification from the employer that these items are required.

[Service Provider\(s\) must have in place the directive in place outlining the procedures for](#)

[advancement or reimbursement payments.](#)

Support Services Not Allowed

No program funds will be authorized for reconnection fees, deposits for utilities, communication expenses or housing, long- distance telephone bills, utility bills more than two (2) months past due, traffic fines and/or penalties, damages, and other settlements resulting from violations (or alleged violations), personal vehicle payments, or vehicle title fees (registration).

Limits and Other Support Services

Exception requests for supportive services that exceed Board limits may be submitted to Board President/CEO, Deputy Director, or designee. These requests must be submitted **prior to** payment request with written justification on a case by case basis.

Board professionals also reserve the right to make final determinations regarding this policy based on changes to federal/state laws and regulations, program guidelines, or Board discretion.

For NDWG, WFSCB reserves the right to implement a support service schedule to quickly implement programs and extend support services to the affected eligible populations and communities named on the specific NDWG. The President/CEO will approve the NDWG support service schedule which may include adjustments to limits on amount and frequency of allowable support services.

[The President/CEO may also approve allowable support services to be adjusted on limits for amounts and frequency during a declared economic condition/crisis and/or a natural disaster, for program eligible participants.](#)

Methods of Payment

No payment of support services, with the exception of reimbursements, will be made directly to the participant. Receipts are required and must be maintained for all reimbursements. All other payments are payable directly to the vendor after receipt of invoice. Payment methods are limited to gas cards, credit card payments, checks and incentive cards. Other payment methods not listed, must be pre-approved by WFSCB Chief Financial Officer.

Service Provider must ensure protocols are in place for issuing support services to an individual other than the participant. At a minimum these protocols must address hardship or extenuating circumstances to document the issuance.

Termination of Support Services

Support services are terminated based on the following reasons:

- Immediately upon determination of failure to meet program requirements;
 - Support service system is being abused;
- Support service funding is not available;
- Individual is making unsatisfactory progress;
- Re-determination of financial need reveals individual has other resources to meet needs or no longer needs the service; or

- Individual exceeds income eligibility guidelines or other eligibility criteria.

Overpayment

If overpayment to an individual occurs, the Service Providers will include, at a minimum, the following action(s) as appropriate:

- Deductions of the overpayment from future payments; or
- Written notification(s), via certified mail, of the overpayment and reasonable repayment arrangements to collect;
- If overpayment is not recovered after sufficient notice via certified mail, the participant will be notified that legal action may be taken unless repayment is received within 30 calendar days; and
- If overpayment is not recovered, the participant will not be eligible for any support service until such funds are repaid.

Contracted Service Provider Action Required

Contracted Service Providers will establish support service procedures according to the policy stated above and consistent with the regulations of each specific funding source. Procedures will remain on file and be provided to all appropriate Career Center staff and any subcontractor or training provider who may be affected. The Contracted Service Provider will ensure that all Career Center staff and subcontractors are trained on the support service policy and procedures, as appropriate

M. PROCEDURES:

Determination of Need

Support services shall not be provided without an individual participant's determination of need. The net result of this determination must validate the need and amount of any services awarded.

Procedures to determine an individual's need, at a minimum, should include:

- Determination of the individual's financial need for the service(s);
- Justification of service(s);
- Support of the final decision to provide or deny requested service(s);
- Assurance that the amounts paid for the various allowable support service items are reasonable and consistent with Board, Federal and State regulations;
- Provisions to ensure services being paid for are not otherwise reasonably available to the individual from other resources;
- Provisions to ensure the financial information provided by the individual is reasonably accurate;
- Requirements that a re-assessment and update of participants' financial data be complete prior to issuing a new voucher for support services; and
- Requirements for recurrent payments, such as transportation, child care, etc., to ensure continued receipt of support contingent on training attendance and/or performance.
- Assessment and determination to issue allowable post-employment/retention support services must be documented for funding streams allowing post-employment/retention support services.

Documentation

POLICY TITLE: Support Services
POLICY NUMBER: 4.0.101.142

DATE: 4/26/2007
REVISION: 02/06/25/2020

Documentation of resource exploration and rationale for approval, non-approval, and termination of support services provided to individuals will be entered in TWIST for tracking purposes. The participant's IEP will also support the services the participant needs to be successful. Referral to other community resources and results of those referrals are also to be apparent in the file.

Allowable support services that are limited to a one-time expense require documentation in TWIST and the support service voucher that states the date of the last time the individual received the one-time payment or states no payment received in the last 12 months. The date last received must be at least 12 months from the date the request is made.

V. RELATED POLICY INFORMATION:

Laws and regulations governing specific funding sources, as applicable, including the following:

- a. Texas Workforce Commission Workforce Investment Act (WIA) Rules: 40 TAC Chapter 841
- b. Texas Workforce Commission Choices Rules: [February 2020-40 TAC Chapter 814](#)
- c. Texas Workforce Commission Supplemental Nutrition Assistance Program Employment and Training Rules: 40 TAC Chapter 813
- d. Texas Workforce Commission Child Care Services Rules: 40 TAC Chapter 809, and in accordance with the Board approved Child Care Policies
- e. NCP Choices: A Comprehensive Guide
- f. WD Letter 06-10, issued February 2, 2010, and entitled "Trade Adjustment Assistance: Statewide Commuting Area and Reasonable Cost of Training Standard"
- g. Texas Workforce Commission –WIOA Guidelines for Adults, Dislocated and Youth, issued August 2015 and revised September 26, 2016, revised June 6, 2108 and effective July 6, 2018, [revised April 2020 and effective April 3, 2020.](#)
- h. U.S Department of Labor Training and employment guidance Letter WIOA No.19-16, issued March 1, 2017
- i. U.S. Department of Labor Training and employment guidance Letter WIOA No. 21-16, issued March 2, 24017
- j. Texas Workforce Commission- Trade Adjustment Assistance Guide, issued [April 2016](#) [May 2020](#).
- k. Training and Employment Guidance Letter(TEGL) 1-17, Operational Guide for National Dislocated Worker Grant, and Changes and updates: TEGL 02-15, Operational Guidance for National Dislocated Worker Grants pursuant to WIOA. Issued August 1, 2017.
- l. Workforce Development Division- Technical Assistance Bulletin 293, dated January 14, 2020

VI. RESPONSIBILITIES:

Board Staff shall ensure that Contracted Service Provider Staff are aware of and comply with this policy and rules outlined in the Related Policy Information documents.

Contracted Service Providers shall ensure that appropriate procedures are implemented and that [relevant](#) Career Center staff receive training regarding the requirements of this policy. Contracted Service provider must ensure that support services provided to participants are allowable under each program's rules and regulations.

The Board Monitor shall provide oversight and evaluation of the Contracted Service Provider's

disbursal of support services to eligible customers.

VI. FORMS AND INSTRUCTIONS: N/A

VII. DISTRIBUTION:

Board of Directors Board Staff Contracted Service Provider

IX. SIGNATURES:

Reviewed by EO Officer

Date

President/CEO

Date

**Support Services
Limits
Attachment A**

Allowable Support Services	Board Approved	Limits and Duration
Auto Insurance	YES	\$100; One-time expense
Bus Passes	YES	Current Rate
Car Repairs	YES	Maximum - up to \$500; Limited to minor repairs. One-Time Expense; Requires verification of need from vendor
Child Care	YES	Maximum - Established Reimbursement Rate; Paid while in program.
Clothing/Uniforms	YES	Maximum- up to \$2400 ; One-Time Expense
Dental Exams	NO	
Dental Work	NO	
Driver Education Course	YES	Maximum- up to \$150; One-Time Expense
Eye Exams	YES	Maximum- up to \$150; One-Time Expense
Eye Glasses	YES	Maximum - up to \$200; One-Time Expense
Food Handler Health Card	YES	Current Rate; One-Time Expense
Hearing Exams	YES	Maximum - up to \$150; One-Time Expense
Hearing Aids	YES	Maximum- up to \$250; One-Time Expense
Incentives/Stipends for Job Retention	YES	See board policy #4.0-100.05 Incentives/Stipends
Mileage –	YES	Rate not to exceed \$15.00 per day for in or out of town travel.
Housing Assistance	YES	Maximum – up to \$750 <u>\$1,500</u> ; One-Time Expense; full time work or training; plan for future payments
Test/Certification Fees/GED	YES	Maximum - Current Rate; One-Time Expense
Utilities	YES	Maximum - up to \$1750 <u>\$1750</u> ; less than 2 months past due; may include a combination of 2 or more utilities
Tools, work boots, equipment	YES	Actual cost; full time work or training; tools and work boots for work requires verification from employer as required
Communication Expenses: Telephone, cell phone, internet services.	YES	Maximum- to \$75 or actual cost, whichever is lower. No deposit, no late fees allowed: One-time expense

Notes :

POLICY TITLE: Support Services
POLICY NUMBER: 4.0.101.142

DATE: 4/26/2007
REVISION: ~~02/06/20~~02/06/25/2020

- TAA has limitations as - TWC Trade Adjustment Act Assistance Guide April 2016.
- NDWG limitations based on Support Services Limits approved by WFSCB.- TEGL 01-17-



WORKFORCE SOLUTIONS of the Coastal Bend

POLICY-DRAFT

CATEGORY:	Workforce Programs-General	No: 4.0.113.045
TITLE:	OJT, Subsidized Employment and Customized Training	
SUPERSEDES:	Policy #4.0.1134.01 dtd May 17, 2012	
EFFECTIVE DATE:	December 12, 2014 June 26, 2020	
DATE APPROVED:	December 12, 2014 June 25, 2020	
DATE REVIEWED:	March 19, 2015 June 25, 2020	

I. PURPOSE:

To establish local policies and guidelines on implementing On-the-Job Training (OJT), subsidized employment and customized training services.

II. DEFINITIONS

On- the- Job Training (OJT) - training provided by an employer to a paid participant on or off the work site while engaged in productive work in a job that provides knowledge or skills essential to the full and adequate performance of the job. OJT provides reimbursement to the employer of a percent of the wage rate of the participant for the extraordinary costs of providing the training and additional supervision related to the training. OJT is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, prior work experience, and the service strategy of the participant. OJT includes training specified by the employer.

Customized Training - training designed to meet the special requirements of an employer (including a group of employers) conducted with a commitment by the employer to employ an individual on successful completion of the training; and paid for in part by the employer.

Subsidized Employment - full time or part time employment that is subsidized in full or in part. Subsidized employment may occur in either the private or public sector.

III. POLICY STATEMENT

Workforce Solutions of the Coastal Bend shall institute On-the-Job training, subsidized employment and customized training programs that will provide participants with knowledge or skills essential to obtaining and retaining employment. Opportunities shall be primarily offered to those participants who lack the related training or experience for which training is offered.

An application shall be developed to gather adequate information on employers prior to contracting for OJT, subsidized employment or customized training.

IV. PROCEDURES

Funds

OJT, subsidized employment and customized training funds must:

- be used for an allowable activity for participants under the appropriate funding stream.
- Funds must be available in the service provider's line item budget for this purpose.
- be allocated based on the limit of the amount of funds allowed per funding stream and the maximum duration of the placement. (See program specifics).
- not be used to directly or in directly assist, promote or discourage union organizing.
- not be involved in a strike, lockout, or other labor dispute of the firm or establishment with which the contract is written.
- not be used on behalf of participants to make contributions to retirement systems or plans.
- be compensation for extraordinary costs associated with training participants and costs associated with the lower productivity of such employees.
- only be used for payments after submission of a certified invoice of training delivered to the participant, which is based on time and attendance reports.

Contracting Requirements

OJT, subsidized employment and customized training are exempt from Individual Training Account (ITA) and eligible training provider certification requirements. OJT and customized training will be administered pursuant to a contract instead of using an ITA.

A training outline shall clearly identify the specific skills and tasks to be learned or enhanced for the job, and the training hours required to master each skill and task.

The time spent in classroom training during which wages are paid by the employer will not be included in the total duration of the OJT.

Employers must expect to retain participants for continued and long-term employment once the OJT or subsidized placement has ended, unless successful completion of the placement is expected to result in unsubsidized employment with a different employer.

Participants shall be provided wages, benefits and working conditions at the same level and to the same extent as other employees with similar skills, experience, and position. Wages shall be at least federal or state minimum wage, whichever is higher.

Conditions of employment and training shall be appropriate and reasonable to protect the health and safety of participants.

The employer shall comply with all required rules and regulations.

Application for Customized Training

The application shall be used to collect relevant information on the employer's customized training and skills needs and shall determine the number of employees to be trained, the occupations or industries to be included, the dates of training, and the amount of funding requested. The application shall determine if the business or any part of the business is being relocated and has resulted in a loss of employment for any employee at the original location if the original location is within the United States.

The application shall provide data that can lead to determination that the training is for an occupation with a high potential for sustained demand or growth in the local workforce development area.

The application shall identify whether or not training providers are needed for customized training.

The application shall include an attestation stating that the training offered by the training provider meets the needs of the employer.

Eligible Employers

OJT, subsidized employment or customized training opportunities may be engaged with existing employers in the workforce area or new or relocating businesses.

Ineligible Employers

Funds may not be used "to encourage or induce the relocation of a business or part of a business, if such relocation would result in a loss of employment for any employee of such business at the original location and such original location is within the United States."

Employers that have received payments under previous contracts and have exhibited a pattern of failing to retain participants as long-term, regular employees with wages, employment benefits (including health benefits), and working conditions at the same level as other employees in similar positions are not eligible to receive funds.

~~Employers are ineligible that have met the threshold for maximum payment and duration of placement without prior approval of the Board.~~

Selecting Training Providers

In the development of customized training and curriculum, an employer may provide the customized training to its employees through in-house training resources, partner with a training provider, such as a community college or other training institution, to provide all or part of the training on behalf of the employer; or request that the Board select a training provider on the employer's behalf.

Any organization that meets the employer's criteria may provide customized training.

If an employer provides customized training through in-house resources, there is no need for procurement.

If an employer chooses to partner with a training provider to provide customized training for its employees, the employer shall provide the Board with an evaluation of the training provider's ability to provide training that meets the specific skill requirements of the employer or group of employers.

Training must be customized to meet the employer's needs. Curriculum taken directly from the training provider's catalog or regular course of study is not considered customized training and is not acceptable.

The service provider shall not select training providers for the employer but, upon request, may refer the employer to training providers who may be able to meet their needs.

Program Specifics:

Workforce Investment Innovation and Opportunity Act (WIOA)

If WIOA Formula Funds allocations are used to pay for OJT or customized training, WIOA income eligibility requirements apply, except in the case of WIOA Dislocated Worker services.

~~Adults and dislocated workers must go through the sequence of services before receiving OJT or customized training.~~

OJT/Customized Training agreements shall not exceed the specified training hours provided through the Standardized Occupational Components for Research and Analysis of Trends in Employment System (SOCRATES) at <http://socrates.cdr.state.tx.us/>.

OJT will be limited in duration to a period not in excess of that generally required for the acquisition of skills needed for the position within a particular occupation. OJT contracts are limited to six (6) months. This six month limit may be exceeded with prior approval of the Board Staff.

OJT/Customized Training payments paid during the period of training shall not average more than 50% of the wages paid to the participant during the training periods; and reimbursement may not occur for holiday overtime, sick, vacation, or other leaves and may not exceed 8 hour/day and 40 hours/week. For WIOA, a higher than 50% wage reimbursement rates may be assessed when remaining within the parameters set forth by WIOA TEGL 19-16. Participant File, counselor's notes and OJT contract must document the factors used when deciding to increase wage reimbursement levels above 50% and up to 75%.

The threshold for employer reimbursement in a contract with the employer shall not exceed \$50,000 for customized training in a twelve month period. ~~Thresholds for OJT and/or subsidized employment will be based on employer size, not to exceed amounts listed below in a twelve month period unless prior approval is obtained from the Board~~

<u>Employer Size</u>	<u>Maximum in 12 months</u>
<u>Employer with 1-49 Employees</u>	<u>\$8,000</u>
<u>Employer with 50-99 Employees</u>	<u>\$16,000</u>
<u>Employer with 100+ Employees</u>	<u>\$24,000</u>

If statewide or local activity funds are used to pay for OJT or customized training, WIOA eligibility requirements regarding age (for WIOA Youth and Adults), selective service registration, U.S. citizenship or legal eligibility to work in the United States, and for WIOA Youth, low income or 5% income exemption and barrier, are applicable.

Trade Adjustment Act (TAA)

~~The criteria that applies to WIA also applies to TAA, with the exception that a waiver granted by the U.S. Department of Labor, effective through June 30, 2007, allows Boards to waive the required 50 percent employer match for WIA customized training and to select a match based on a 10 to 50 percent sliding scale. WO Letter 07-03, issued March 10, 2003, provides Boards with procedures for implementing this waiver.~~

~~OJT and customized training may be used as a training option for Trade-certified workers. In the instance of trade-certified workers, OJT shall be given priority over other training options.~~

~~Trade-certified workers are WIA Dislocated Workers and are not required to meet WIA income eligibility requirements to receive OJT or customized training.~~

Training, including On-the-Job Training (OJT), Apprenticeships, and Customized Training—For reemployment in another job or career when suitable employment is not available.

At assessment, it will be determined if a rapid reemployment is not possible, Career Center staff continues with a comprehensive assessment, develops a Reemployment and Training Plan (REP), and refers the dislocated worker to training or OJT, if appropriate

OJT and customized training opportunities may be developed with employers offering jobs in occupations that meet the 80 percent wage replacement goal offering jobs in occupations that meet the 80 percent wage replacement goal for Trade-certified participants, including opportunities for participants to supplement OJT with remedial education as necessary before and during OJT.

Choices and Non-Custodial Parent(NCP)

OJT and subsidized employment will be limited in duration to a period not in excess of that generally required for the acquisition of skills needed for the position within a particular occupation. OJT contracts are limited to six (6) months. Subsidized employment contracts are limited to ~~threefour~~ (34) months. Limits of duration may be extended with prior approval of the Board Staff.

OJT wages paid during the period of training shall not average more than 50% of the wages paid to the participant during the training periods; and reimbursement may not occur for holiday overtime, sick, vacation, or other leaves and may not exceed 8 hour/day and 40 hours/week.

~~The threshold for employer reimbursement in a contract with the employer for OJT and subsidized employment shall not exceed the amounts listed below based on employer size in a twelve-month period unless prior approval is obtained from the Board.~~

<u>Employer Size</u>	<u>Maximum in 12 months</u>
<u>Employer with 1-49 Employees</u>	<u>\$8,000</u>
<u>Employer with 50-99 Employees</u>	<u>\$16,000</u>
<u>Employer with 100+ Employees</u>	<u>\$24,000</u>

Subsidized employment wages are the same rules as OJT with the exception that a maximum of 100% of wages may be paid during the period of training.

Co-enrollment into WIOA shall be a consideration for all participants in OJT and subsidized employment to ensure that the participant completes the training in the event that TANF is denied prior to completion.

Customized training for Choices is considered as vocational educational training

Supplemental Nutrition Assistance Program (SNAP E&T)

SNAP E&T funds may not be used to subsidize wages and therefore, may not be used for any type of OJT or subsidized employment activity. However, SNAP recipients can participate in these activities through WIOA services, and through the use of WIOA funds. Customized training for SNAP E&T is considered as vocational training.

V. RELATED POLICY INFORMATION

Laws and regulations governing specific funding sources, as applicable, including the following:

- a. Texas Workforce Commission Workforce Investment Act (WIA) Rules: 40 TAC Chapter 841
- b. Texas Workforce Commission Choices Rules: 40 TAC Chapter 811
- c. Texas Workforce Commission Supplemental Nutrition Assistance Program Employment and Training Rules: 40 TAC Chapter 813
- d. Texas Workforce Commission Child Care Services Rules: 40 TAC Chapter 809, and in accordance with the Board approved Child Care Policies
- e. NCP Choices: A Comprehensive Guide
- f. WD Letter 06-10, issued February 2, 2010, and entitled "Trade Adjustment Assistance: Statewide Commuting Area and Reasonable Cost of Training Standard"
- g. Texas Workforce Commission –WIOA Guidelines for Adults, Dislocated and Youth, issued August 2015 and revised September 26, 2016, revised June 6, 2108 and effective July 6, 2018, revised April 2020 and effective April 3, 2020.
- h. U.S Department of Labor Training and employment guidance Letter WIOA No.19-16, issued March 1, 2017
- i. U.S. Department of Labor Training and employment guidance Letter WIOA No. 21-16, issued March 2, 2017
- j. Texas Workforce Commission- Trade Adjustment Assistance Guide, issued ~~April 2016~~. May 2020. (OJT and Customized Training Language Section C-408 and C-409).
- k. Training and Employment Guidance Letter (TEGL) 1-17, Operational Guide for National Dislocated Worker Grant, and Changes and updates: TEGL 02-15, Operational Guidance for National Dislocated Worker Grants pursuant to WIOA. Issued August 1, 2017.
- l. Workforce Development Division- Technical Assistance Bulletin 293, dated January 14, 2020
- m. Choices Guide, ~~June 2013, Section B-500, Choices Activities and B-1104: OJT and Customized Training Services~~ dated February 2020.

VI. RESPONSIBILITIES

The Career Center Service Provider Management shall ensure that all ~~relevant~~ staff and the Workforce Solutions Career Center service providers are informed of and comply with this policy.

The Workforce Solutions Career Center service providers shall ensure that appropriate procedures are implemented and that ~~relevant~~ staff receives training regarding the requirements of this policy and rules outlined in the Related Policy Information Section.

VII. FORMS AND INSTRUCTIONS

N/A

VIII. DISTRIBUTION

Board of Directors

Board Staff

Service Provider Staff

POLICY TITLE: OJT, Subsidized Employment & Customized Training
POLICY NUMBER: 4.0.113.045

DATE: 02/22/2007
REVISED: ~~03/19/2015~~ 06/25/2020

IX. SIGNATURES

Reviewed by EO Officer

Date

President/CEO

Date

Glossary of Terms

Program Title	Program Characteristics
Child Care	Helps employers retain qualified workers with families by providing subsidized child care to low-income parents, children of teen parents, and children with disabilities.
Non-Custodial Parent (NCP) Choices	Targets low-income, unemployed, or underemployed NCPs who are behind on child support payments and whose children are current or former recipients of public assistance. Involves working in tandem with the Office of the Attorney General (OAG) and the local court system to help NCPs with substantial barriers to employment and career advancement, become economically self-sufficient while also making consistent child support payments.
Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)	Designed to assist SNAP recipients in obtaining employment through participation in allowable job search, training, education, or workforce activities that promote long-term self-sufficiency. SNAP recipients are referred by the Texas Health and Human Services Commission (HHSC).
Temporary Assistance for Needy Families (TANF)/Choices	The goal of Choices services is to end the dependence of needy parents on public assistance by promoting job preparation, employment, and job retention with a “Work First” service delivery design. TANF recipients are referred by the Texas Health and Human Services Commission (HHSC).
Trade Act Services	Provides employers with skilled workers. Moves trade-affected workers into new jobs as quickly and effectively as possible.
The Workforce Information System of Texas (TWIST)	TWIST is a centralized point of reporting intake, case management, and service delivery for customers. Intake information is submitted just once for multiple employment and training programs, and can be retrieved statewide. TWIST also allows staff to query and retrieve information from the legacy systems - Employment Services (ES), Unemployment Insurance (UI), SNAP E&T, Temporary Assistance to Needy Families (TANF), SSI (Supplemental Security Income), and the Texas Department of Criminal Justice (TDCJ).
Veterans Employment Services	Employers have quick access to the talents and expertise of veterans and eligible persons, e.g., spouses of deceased/disabled/MIA veterans, to fill job openings.
Wagner-Peyser Employment Services (ES), Agricultural Services and Migrant and Seasonal Farm Worker Services	Acts as liaison between employers and job seekers to ensure employers have access to qualified workers. Provides job matching and recruitment services to employers and job seekers.
Workforce Innovation and Opportunity Act (WIOA)	WIOA helps job seekers and workers access employment, education, training, and support services to succeed in the labor market; and matches employers with the skilled workers they need to compete in the global economy.