

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 02-22, Change 1
Date:	June 6, 2022
Keyword:	AEL; Child Care; VR; WIOA; WorkInTexas.com
Effective:	Immediately

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



From: Courtney Arbour, Director, Workforce Development Division
Reagan Miller, Director, Child Care & Early Learning Division

Subject: **Afghan Humanitarian Parolee Requirements for Eligible Programs,
Including the Child Care and Development Fund—Update**

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on eligibility requirements for Afghan humanitarian parolees in need of child care, employment, or training assistance. This update specifically addresses additional guidance provided by the US Department of Labor Education and Training Administration (DOLETA).

RESCISSIONS:

WD Letter 02-22

BACKGROUND:

The Texas Workforce Commission (TWC) issued WD Letter 02-22 on February 11, 2022. On March 23, 2022, DOLETA released Afghan Evacuees and Workforce Development FAQs through the WorkforceGPS [New Afghan Refugees/Resettlement](#) resource web page.

Effective September 30, 2021, the Afghanistan Supplemental Appropriations Act, 2022, states that Afghans who are admitted to the United States as humanitarian parolees between July 31, 2021, and September 30, 2022, are now eligible for public assistance, which includes Child Care Development Fund (CCDF) child care assistance.

Before this new legislation, only Afghans who were admitted into the United States as qualified aliens were eligible for public assistance.

Afghan evacuees who are relocated to the United States will fall under one of the following four categories:

- Special Immigrant Visa (SIV)—formerly employed by the US government or government contractor
- Refugee—generally victims of persecution
- SQ/SI Parolee—pending application for SIV
- Humanitarian Parolee—do not qualify as any of above categories

The majority of Afghan evacuees are expected to be humanitarian parolees.

Humanitarian parole allows individuals who may be inadmissible or otherwise ineligible for admission into the United States to be in the United States for a temporary period. In this case, certain Afghan individuals were granted humanitarian parole by the US Department of Homeland Security in response to their need for rapid evacuation and relocation under Operation Allies Refugee/Operation Allies Welcome (OAR/OAW). Afghan parolees may have Form I-94, a passport, or another travel document with a parole notation such as OAW or OAR. Parolees eligible to work may present a US Citizenship and Immigration Services (USCIS)—issued employment authorization document or Social Security Number card.

The workforce delivery system envisioned by the Workforce Innovation and Opportunity Act (WIOA) is designed to increase access to employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment.

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.”

Child Care

NLF: Boards must be aware that citizens or nationals of Afghanistan who are paroled into the United States between July 31, 2021, and September 30, 2022, are eligible for CCDF child care assistance until March 31, 2023, or until the end of their parole term, whichever is later.

NLF: Boards must be aware that only the citizenship of the child is considered when determining child care eligibility. The designation as a humanitarian parolee fulfills the child’s citizenship requirement only if the child was paroled into the United States between July 31, 2021, and September 30, 2022.

NLF: Boards must be aware that all other eligibility requirements must be met for the family to receive child care services.

Adult Education and Literacy Services

NLF: Boards must ensure coordination of services with Adult Education and Literacy (AEL) grantees, as outlined in the executed memorandum of understanding between each Board and its AEL grantees, in order to serve English language learners (ELLs), such as Afghan parolees.

Title II of WIOA, or the Adult Education and Family Literacy Act (AEFLA), specifically requires AEL grantees to provide English language acquisition programs. This type of program is designed to help ELLs achieve competency in reading, writing, speaking, and listening in English. English language acquisition programs must also help ELLs with the following:

- Attaining a secondary school diploma or its recognized equivalent
- Transitioning to postsecondary education and training or employment

NLF: Boards must be aware that the [AEL service provider directory](#) includes AEL grantees and additional AEL providers.

LF: Boards should coordinate with AEL programs in order to provide the following AEFLA-funded services to Afghan parolees, as appropriate:

- English language acquisition
- Civics education
- Digital literacy
- High school equivalency (TxCHSE) examination preparation, which may include subsidized vouchers for GED exams
- Integrated education and training programs for ELLs, including internationally trained professionals
- Credential evaluation, authentication, and verification services for those enrolled in a career pathway program and who have documentation of internationally attained degrees or credentials

LF: Boards may inform local staff members that the US Department of Education provides general information on the [Recognition of Foreign Qualifications](#) web page for individuals with foreign degrees or other credentials seeking to work or further their education.

Vocational Rehabilitation

NLF: Boards must ensure that staff members are aware that the Vocational Rehabilitation (VR) program does not exclude, deny benefits, limit participation, or otherwise discriminate against any individual who is otherwise qualified in the administration of services based on national origin. Applicants who are interested in applying for VR services are referred to the appropriate VR office where VR staff will complete an application and make an eligibility determination. At the time of application, VR staff asks the customer to provide original unexpired documents that prove his or her identity and show that the customer may work legally in the United States.

WorkInTexas.com

NLF: Boards must ensure that staff members do not screen for employment authorization for Afghan parolees seeking self-services only. Wagner-Peyser Employment Service, a

system that provides services, such as WorkInTexas.com registration, must be made available to all Afghan parolees.

General Information

NLF: Boards must ensure that staff members do not refuse services to any individuals based solely on status as a noncitizen. Individuals determined eligible for programs with available funding should be served by that program in priority order, as practicable.

NLF: Boards must ensure that staff members are aware that WIOA §188(a)(5) prohibits discrimination against certain noncitizens, including lawfully admitted permanent resident aliens, refugees, asylees, parolees, and other immigrants authorized to work in the United States.

NLF: Boards must ensure that staff members are aware that WIOA §188 nondiscrimination protections apply to all programs and activities operated by local Boards and partners, whether required or additional, if these programs or services are provided as a part of the workforce development system.

Selective Service

NLF: Boards must ensure that staff members are aware that according to the Military Selective Service Act, all men residing in the United States must register for Selective Service within 30 days of their 18th birthday, or within 30 days of arrival for those age 18 to 25. This includes evacuees, refugees, parolees, and other noncitizen individuals.

Refugee Assistance Services

NLF: Boards must ensure that staff members are aware that the Refugee Cash Assistance, Refugee Medical Assistance, and Refugee Support Assistance programs may be available to Afghan evacuees. These services are provided federally through the Office of Refugee Resettlement and in Texas through the organizations listed below.

LF: Boards and local staff may outreach community-based organizations assisting parolees in their communities to provide information about available workforce services, as applicable. Organizations voluntarily working to provide refugee resettlement services to Afghan parolees include:

- [Church World Service \(CWS\)](#)
- [Episcopal Migration Ministries](#)
- [Ethiopian Community Development Council](#)
- [Hebrew Immigrant Aid Society](#)
- [International Rescue Committee](#)
- [Lutheran Immigration and Refugee Service \(LIRS\)](#)
- [Refugee Services of Texas](#)
- [United States Conference of Catholic Bishops](#)
- [US Committee for Refugees and Immigrants](#)
- [World Relief](#)

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENT:

Attachment 1: Revisions to WD 02-22 Shown in Track Changes

REFERENCES:

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193)

Extending Government Funding and Delivering Emergency Assistance Act, Division C—Afghanistan Supplemental Appropriations Act, 2022

Workforce Innovation and Opportunity Act

Training and Employment Notice 28-16, Change 2, issued January 18, 2017, and titled “Best Practices, Partnership Models, and Resources Available for Serving English Language Learners, Immigrants, Refugees, and New Americans”

Training and Employment Notice 24-18, issued April 3, 2019, and titled “Updated Promising Practices in Achieving Nondiscrimination and Equal Opportunity: A Section 188 Disability Reference Guide”

US Citizenship and Immigration Services: Humanitarian Information for Afghans

WorkforceGPS: [New Afghan Refugees/Resettlement](#) Resource Web Page

WorkforceGPS: [Afghan Evacuees and Workforce Development FAQs](#)