

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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| ID/No: | WD 06-13, Change 2 |
| Date: | March 18, 2024 |
| Keyword: | General; NCP Choices; TANF/Choices; SNAP E&T; TAA; WIOA; WorkInTexas.com |
| Effective: | WF CMS Implementation |

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



From: Courtney Arbour, Director, Workforce Development Division

Subject: Documenting Services and Participant Contact in WorkInTexas.com Case Notes—Update

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance regarding:

- contact with participants; and
- the comprehensive documentation of services and contact with participants in WorkInTexas.com Case Notes.

This update provides clarification relating to the implementation of WorkInTexas.com as the Texas Workforce Commission's (TWC) workforce case management system.

RESCISSION:

WD Letter 06-13, Change 1

BACKGROUND:

The provision of accurate service and outcome data is necessary to meet state and federal reporting requirements and to assess the performance of the workforce system. Data is used to generate reports and collect information that will be used by TWC and Boards to manage, monitor, and assess performance. It is necessary that all information that is entered into WorkInTexas.com is clear, concise, comprehensive, and accurate.

The accuracy and reliability of data is essential to ensure efficient and responsible public administration. Such accuracy and reliability is also necessary when reporting

information to the US Department of Labor (DOL), the Legislative Budget Board, and other entities, as it helps to maintain the integrity of the Texas workforce system.

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.”

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.”

Notification of Contact Requirements

NLF: Boards must ensure that each individual is provided notice of program contact requirements at, or before, enrollment in a program. Such notice must include:

- participant contact responsibilities;
- Workforce Solutions Office staff contact responsibilities;
- required contact frequency;
- acceptable contact methods;
- consequences of failure to maintain contact (including possible case closure); and
- the participant’s right to appeal actions resulting from the lack of engagement.

Contact with Participants

NLF: Because programs and activities operate under different contact requirements, Boards must ensure that Workforce Solutions Office staff members are aware of and understand the differences between the programs.

NLF: For services that are open longer than one day, Boards must ensure that Workforce Solutions Office staff members are actively working with participants throughout the entire period of service.

NLF: Boards must ensure that Workforce Solutions Office staff is in direct, two-way contact with each participant on at least a monthly basis. For this purpose, the following applies:

- Monthly means during each calendar month, with no more than approximately 30 days between contact.
- Direct, two-way contact requires communication between the parties involved through methods such as in-person, videoconferencing, email, text, or phone call. This may require a participant to provide documentation or other evidence of participation beyond verbal acknowledgment.
- Automated responses, such as an outgoing voice mail message or an out-of-office notification, do not qualify.

NLF: Boards must ensure that Workforce Solutions Office staff members do not enter services without direct contact with a participant and confirmation of activity, in accordance with local policies.

NLF: Boards must ensure that Workforce Solutions Office staff members make appropriate attempts to outreach a participant in order to make contact, according to the following guidelines:

- TAA, WIOA: If a Workforce Solutions Office staff member is unable to make direct contact with a participant, at least two additional attempts to contact a participant within a given month are required.
- SNAP E&T: Workforce Solutions Office staff are not required to make a second outreach attempt or give final notice to mandatory work registrants who do not respond to an initial outreach attempt.
- Choices: While Workforce Solutions Office staff are not required to make a certain number of outreach attempts, they are required to make timely and reasonable attempts to outreach participants.
- Noncustodial Parent (NCP) Choices: Workforce Solutions Office staff are required to make:
 - in-person contact, at least weekly, with a NCP until they enter employment; and
 - monthly contact with a NCP for six months following employment.

LF: Boards may implement local policies that require more frequent participant contact than what is required by this WD Letter or by program guidelines.

Documentation in WorkInTexas.com Case Notes

NLF: Boards must ensure that the combination of services and the detailed narrative information that is entered into WorkInTexas.com Case Notes reflects a comprehensive picture of Workforce Solutions Office staff interactions with participants.

Documenting Services

NLF: Boards must ensure that Workforce Solutions Office staff:

- only documents the services (for example, 651–Retention - Job Search Assistance or 406– Tutoring/Study Skills/Instruction – Youth Funded) in WorkInTexas.com when they are actively working with a participant;
- only document the services provided to a participant;
- accurately records service dates in WorkInTexas.com; and
- closes service activities when they are no longer actively working with a participant. This includes manually closing out open service records with the correct service end dates and completion reasons.

Documenting Contact with Participants

NLF: Boards must ensure that Workforce Solutions Office staff members document the following information in WorkInTexas.com Case Notes:

- The details of all of the services provided
- All contact with a participant and other entities concerning the participant

- A Participant's progress, including supporting documentation and status

LF: Boards may use documentation received from a school or training provider, through methods including email and fax, to verify a participant's attendance and progress throughout their training or educational services.

NLF: Boards must be aware that contact with a school or training provider for service tracking purposes by a Workforce Solutions Office staff member neither constitutes nor replaces the monthly contact requirement.

NLF: Boards must ensure that Workforce Solutions Office staff enters into WorkInTexas.com Case Notes a comprehensive, detailed, self-explanatory narrative for each participant's case that would enable other Workforce Solutions Office staff members to work on the case with minimal background information required from the participant.

NLF: Boards must ensure that Workforce Solutions Office staff includes the following types of information in WorkInTexas.com Case Notes narratives, as applicable:

- Title: a descriptive subject entry that accurately reflects the contents
- Who: for example, customer's name, employer's name
- What: the activity being reported
- When: the date in which the activity was reported
- Where: for example, the customer's work or school location
- Why: for example, to verify or document service activities
- How: for example, the customer called or the case manager called

Attachment 1, Sample Comprehensive Narrative Entries for WorkInTexas.com Case Notes, provides scenarios of participant cases that show examples of comprehensive and accurate narratives for WorkInTexas.com Case Notes.

NLF: Boards must ensure that Workforce Solutions Office staff enters comprehensive information into WorkInTexas.com Case Notes within one week of the provision of a service or contact with a participant.

LF: Boards may require their contractors to apply these procedures for child care services.

INQUIRIES:

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

ATTACHMENTS:

Attachment 1: Sample Comprehensive Narrative Entries for WorkInTexas.com Case Notes

Attachment 2: Revisions to WD Letter 06-13, Change 1, Shown in Track Changes

REFERENCES:

Workforce Innovation and Opportunity Act, Final Rule, 20 CFR §677.205

US Department of Health and Human Services, 45 CFR §265.9
Texas Penal Code §37.10
Texas Workforce Commission Chapter 811 Choices Rules
Supplemental Nutrition Assistance Program Employment and Training Guide
Choices Guide
Noncustodial Parent Choices: A Comprehensive Guide