



Programs Handbook

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ONE STOP SERVICE DELIVERY SYSTEM

CHAPTER ONE: Services to Workforce Customers

Section 1: Purpose

The policies contained herein are designed to promote a user-friendly environment while ensuring compliance with the requirements for American Job Centers that provide an array of workforce services to job seekers, employers and youth.

Section 2: Priority of Service

1. Priority of service will be provided in accordance with federal and state rules and regulations and in accordance with all guidance and requirements set forth by the Texas Workforce Commission. Priority will be given to eligible federal qualified veterans and spouses, eligible state qualified veterans and spouses, and eligible foster youth over all other equally qualified and eligible individuals for workforce services as set forth in Texas Workforce Commission WD Letter 43-11, Change 1, WD Letter 25-15, WD Letter 8-15, Change 2, and U.S. Department of Labor (DOL) TEGL 3-15, to include subsequent issuances or replacements. Should a conflict exist between federal, state and Board policy, federal and state policy will control.
2. Eligible veterans and qualifying spouses and eligible foster youth must be identified at their point of entry and informed of their right to priority of service, the full array of workforce services available under priority of service and informed of any eligibility requirements for those programs and services.
3. Under the Workforce Innovation and Opportunity Act (WIOA) Adult Funds, priority must be provided to:
 - Recipients of public assistance;
 - Other low-income individuals; and
 - Individuals who are basic skills deficientWIOA funding for individualized career services and training services will be limited to participants who:
 - are unable to obtain grant assistance from other sources to pay for individualized career services and training services; or
 - require assistance beyond that available under grant assistance from other sources to pay for these services.
4. Veterans and eligible spouses continue to receive priority of service for all DOL-funded training programs as detailed in WD Letter 25-15. Priority for WIOA individualized career services and training services must be provided in the following order:
 1. Eligible veterans and eligible spouses, as defined in WD Letter 25-15, who are also recipients of public assistance, low-income, or basic skills deficient.
 2. Foster youth and former foster youth, as defined in WD Letter 43-11, Change 1 who are also recipients of public assistance, low income, or basic skills deficient.
 3. All other individuals who are recipients of public assistance, low-income, or basic skills deficient.
 4. All other eligible veterans and eligible spouses.
 5. All other foster youth and former foster youth.
 6. All other individuals, including local Board priority groups.
 - a. Individuals whose income is above WIOA's low-income threshold but is below the Board's Living Wage. Low income is defined in WIOA as 70% of the Lower Living Standard Income Level or (LLSIL) established every year by the Department of Labor. WSB has a large population outside the basic federal income guidelines parameters but has demonstrated need for assistance to become self-sufficient and less vulnerable to associated economic hardships and instability. The WSB living wage is defined in Ch.3, Section 1 of this policy manual. This priority group comes after the first groups described above.

(Adopted by the Board of Directors 8-16-18; effective 8-16-18)

- b. Underpaid - defined as individuals who are currently employed and whose wage compensation is not commensurate with their experience and/or education. Current employment must be listed on most recent WSB Target Occupations List (TOL) and individual occupational hourly earnings must be at or below the 25% wage percentile for that occupation. Individuals must meet at least one of the following criteria:
- Individuals who have over 5 years work-experience in similar occupation, but current earnings are at or below the listed 25% wage percentile as per current WSB TOL or
 - Individuals who have obtained a degree (associates or higher) related to current WSB TOL and are not working and/or earning the median wage in their training related occupation. This priority group comes after the first groups described above.

WSB has a large population of outside the basic WIOA Adult and Youth Program Federal Income Guideline parameters but has a demonstrated need for assistance to become self-sufficient. Identifying LWDB priority groups further allow WSB to develop and provide a better skilled workforce to meet the demands of our regional employers. *(Adopted by the Board of Directors 8-15-19; effective 8-15-19)*

5. Priority for Child Care Services will be given in accordance with §809.43 of the Texas Workforce Commission Child Care rules.
6. The locally established priority group for Child Care Services in accordance with § 809.43 of the Texas Workforce Commission Child Care rules, subject to the availability of funds and included, in the order of priority is as follows:
 1. Siblings of children who are participating in child care services; *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*
 2. Children of families participating in workforce employment and training programs who are referred by workforce staff;
 3. Children of families participating in Workforce Solutions Borderplex initiatives or projects, when authorized in writing by Board CEO or designee;
 4. Children of military parents returning from combat needing care within 90 days of return;
 5. Other children of individuals at-risk of becoming dependent upon public assistance will be served based upon date of placement on the child care waiting list, or the date of request for services if there is no waiting list.

Section 3: Customer Care

A. Customers with Disabilities: Workforce Centers shall provide reasonable accommodation and accessibility in accordance with the Americans with Disabilities Act (ADA); be available to employers, students and workers throughout the local workforce development area. The purpose of this policy is to ensure customers with disabilities have equal access to services offered through the workforce system, in accordance with WD Letter 24-01, to include subsequent issuances and replacements.

1. Customers with disabilities will be provided equal opportunity and access to services offered through the workforce system. Assessment will occur to determine the following:
 - a. Identification of language needs; situations in which the customer will need adaptive services;
 - b. Resources needed and determination of how the resources will be made available;
 - c. Communications with customers with disabilities will be as effective as communications with customers without disabilities. Written and verbal communication must be in a language that the individual customer understands (e.g. Sign language, Braille).
2. Qualified staff or interpreters must be used when communicating with customers through sign language.

3. Inclusion of customers with disabilities will be assessed to ensure equal opportunity and access to workforce system services.

B. Customers with Limited English Proficiency (LEP)

1. Equal access and opportunity to all workforce services will be provided to individuals with limited English skills in accordance with federal civil rights laws and the Texas Workforce Commission's WD Letter 24-01, to include subsequent issuances.
2. Assessment of language needs and available resources will be conducted to ensure customers with LEP have equal opportunity and access to workforce system services.
3. Written and verbal communication shall be provided in a language that individual customers understand.
4. Qualified bilingual staff or interpreters shall be used to communicate with customers with LEP.
5. Services must be provided by individuals and entities that have the required knowledge and training to provide requested services for customers with LEP.
6. Monitoring of access to services will be conducted.

C. Maintaining Customer Confidentiality and Data Security

1. TWC WD Letter 13-08 and WD Letter 02-18, to include subsequent issuances, are adopted, as a means to guard against unauthorized access of customer information. Steps to maintain customer confidentiality include, but are not limited to, the following:
 - a) Securing customer files in locked filing cabinets when not in use;
 - b) Shredding documents with identifying information when disposing of information or placing documents in approved securely locked shred containers;
 - c) Ensuring Social Security numbers, addresses, telephone numbers, customer names and other identifying information are not visible to others;
 - d) Using encryption when saving customer personally identifiable information in documents that will be transported on a laptop or other portable storage devices, such as flash drives;
 - e) Distributing customer information on a need-to-know basis only.
2. Medical and disability-related information must be maintained on separate forms and kept in separate medical files.
3. Adherence to the TWC *Information Security Standards and Guidelines* will be maintained.
4. Prior to being granted access to personally identifiable or other sensitive information, staff will acknowledge their understanding of the confidential nature of the information and the safeguards they must comply with in order to protect it, as well as liability to civil and criminal sanctions for improper disclosure.
5. Personally identifiable and other sensitive information will only be accessed for official use and only by employees who need to access it in their official performance of duties within the scope of work as set forth by TWC and the Board.
6. Personally identifiable and other sensitive information will only be released to authorized individuals or entities as allowable by law.
7. Accessing, processing and/or storing of personally identifiable information on personally owned equipment and at off-site locations is prohibited, unless explicitly permitted in the TWC *Information Security Standards and Guidelines*.
8. Personal cell phones are permitted on Workforce Solutions Borderplex premises should they be used for work purposes, they must be in compliance with WD Letter 02-18 in maintaining customer confidentiality.

(Adopted by the Board of Directors 8-16-18; effective 8-16-18)

9. Password protection and/or encryption must be used with portable computing devices.
10. Personally identifiable or other sensitive information, confidential and/or sensitive data should not be stored on portable computing devices. In the event there is no alternative to local storage, all personally identifiable information, other sensitive information, confidential and/or sensitive data must be encrypted.
11. Encryption must meet the standards set forth by TWC to include WD Letter 02-18 and subsequent issuances.
12. All removable media must be scanned for malicious code content prior to use in any workforce system or network.
13. Any security violation or breach detected or suspected, including loss or theft of portable computing devices and removable media, must be immediately reported to Board's IT department for action.
14. Retention of personally identifiable or other sensitive information will be maintained only for the period of time required to use it for official purposes or to comply with record retention requirements, if any.
15. Reuse or disposal of removable media will follow a data sanitization guideline in compliance with National Institute of Standards and Technology (NIST) Special Publication 800-88 as a means of ensuring removal of any electronic protected, confidential and/or sensitive information.

Section 4: Case Management

1. Case management services will include, but are not limited to:
 - On-going assessment of customer strengths, barriers and needs;
 - Assisting customers with goal setting;
 - Individualized employment planning to connect customers to appropriate services;
 - Provision of support, encouragement, advocacy and follow-up;
 - Coordinating and connecting customers with support services;
 - Assisting customers with job search leads, matches and referrals;
 - Monitoring customer participation and progress towards achieving their goals;
 - Utilization of Career Services to promote successful employment; and
 - Provide program specific case management requirements that are outlined in each of the program guidelines and/or any Board led special projects or initiatives.
2. On-going and regular customer contact will occur with significant and meaningful contact occurring at least once a month. More frequent contact may occur based upon individual needs of customers and in accordance with program requirements. Various methods of communication may be used for meaningful contact and may include, but are not limited to: face-to-face, telephone, email, text, or video chat.
[WD Letter 06-13](#), to include revisions and replacements, is adopted for documentation of services, documentation of contact with participants, and case note requirements.
3. Testing for assessment purposes may be conducted by workforce staff, or when appropriate, through other organizations. To avoid repetitive testing of customers, previous scores from recognized standardized tests may be used if the scores are less than six (6) months old.
4. Customer's institutional records, participation hours and progress reports will be obtained and reviewed in accordance with program rules and TWC guidance. Appropriate action will be taken to address lack of progress and/or participation. WD letters [07-14](#) and [09-19](#), to include revisions and replacements, is adopted for TWIST data validation and performance outcomes.
5. WD Letter 06-13, to include revisions and replacements, is adopted for documentation of services and case note requirements.

6. If a customer in *Follow-up* services declines *Follow-up* services, follow-up services will be discontinued and documented in *TWIST Counselor Notes*. If a customer in *Follow-up* services cannot be located within 2 weeks of falling into follow-up services and several documented attempts to reach the customer fails, follow-up services will be discontinued and documented in *TWIST Counselor Notes*.

Section 5: Data Entry and Data Integrity for The Workforce Information System of Texas

1. Data entry will be done in a manner that ensures the integrity and completeness of data recorded in The Workforce Information System of Texas (TWIST) as stipulated in WD letter 06-07, Change 3, or subsequent issuances.
2. Adherence to the following documents is required as a means of ensuring the integrity of the data entered into TWIST:
 - Guide to Using The Workforce Information System of Texas;
 - System Services Matrix (to include the Youth Element Service Matrix);
 - Texas Workforce Commission WD Letters and TA Bulletins with “TWIST” as a keyword.
3. To further protect the integrity of data entered into TWIST, the following is required:
 - TWIST training prior to authorizing TWIST access;
 - Timeliness of data entry;
 - Completeness and appropriateness of data entry;
 - Accuracy of data entered; and
 - Review of TWIST data.
4. TWIST training will include, but is not limited to:
 - Appropriate coding;
 - Timeliness;
 - Data requirements;
 - Data file requirements; and
 - File documentation
5. To further ensure the integrity of data entered into TWIST, the following data entry actions are adopted:
 - *Provider (TAA)* will be entered under Office Level 4 field in TWIST when TAA customers are enrolled in a training that is not included in the Targeted Occupation List (TOL). Staff will select DOL training code in the TWIST Training Worksite field and enter the appropriate training occupation in the ONET field. The appropriate selection will be made for the FICE field to indicate the training provider/location where the customer is receiving the service. If the FICE code is not listed, the name of the training provider will be entered in the Comments section.
 - *TWIST Code 179* (Training-Non-TWC) will be used when providing a WIOA customer with support services to ensure successful completion of a board authorized training that is not funded through Workforce Solutions Borderplex.
 - The appropriate activity code will be used when entering Choices, NCP or SNAP Employment and Training non-workforce funded activities. Enter *NONPFWS* in the Training Worksite field and *NonProgram Funded Provider* in the Office Level 4 field will be selected. The appropriate selection will be made for the FICE field to indicate the training provider/location where the customer is receiving the service. If the FICE code is not listed, the name of the training provider will be entered in the *Comments* section.

Section 6: Registration Requirements Related to the WorkInTexas.com

1. Before receiving any services from Workforce Solutions Boarderplex these programs participants must be fully registered in WorkInTexas.com
 - Employment Services
 - Trade Adjustment Assistance
 - Workforce Innovation and Opportunity Act (WIOA) adult and dislocated worker
 - WIOA youth
 - Rapid Response
2. Before or during an orientation assessment, or planning meeting program these program participants must be fully registered in WorkInTexas.com
 - Temporary Assistance for Needy Families/Choices program
 - Noncustodial Parent (NCP) Choices program
 - Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)
3. Participants only enrolled in these programs are not required to be registered in WorkInTexas.com
 - Adult Education and Literacy (AEL)
 - Vocational Rehabilitation (VR)
 - Child Care

Section 7: Procedure

Contractor will develop procedures to effectively and efficiently implement the policies contained herein.

CHAPTER TWO: Support Services

Section 1: Purpose

Workforce Solutions implements this policy in adherence with the federal Workforce Innovation and Opportunity Act WIOA §3(59),and/or Texas Workforce Commission regulations, rules, policies and procedures related to the provision of support services and incentives. If at any time board policy conflicts with federal or state regulations, those regulations will supersede board policy.

Section 2: Support Services

1. Support services and incentives may be provided to eligible customers, if funding permits, and when the support services are reasonable, necessary , and adequately documented in TWIST counselor notes to assist customers in achieving the goals set forth in their employment plan, and directly related to participation in eligible career services, programs and when authorized by applicable rules and regulations.
2. Contractor must adequately budget for use of support services and incentives as part of their annual budget and business plan.
3. WSB will coordinate with regional workforce partners, service providers and community-based organizations, to ensure support services are not duplicated. Support services with workforce funding may be provided when such services are not readily available through other resources.
4. Funding limits, per individual customer, have been established for support services when allowable by the specific program in which the customer is participating. The following support services will be allowed only once in a 12-month period per customer. Funding limits may change depending on available funding. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

Funding limits may be reduced should available funding become limited.

- a. Vehicular repair – a maximum of \$700 annually
 - b. Consumables (tires, battery, etc.) – a maximum of \$700 annually
 - c. Vehicle registration and inspection – actual cost, limited to once every two years with payment made to the vendor upon receipt of invoice
 - d. Vehicle insurance – a maximum of \$200 limited to once every two years
 - e. Room and Board – Up to \$2,000 per semester
 - f. Training Related Expenses - \$700 maximum per semester, quarter or course (if course of study is less than one semester)
 - g. Work-related expenses – a maximum of \$500 annually
 - h. Housing assistance to include utility assistance – a maximum of \$1,250 annually (*Adopted by the Board of Directors 8-16-18; effective 8-16-18*)
 - i. Needs-related payment – a maximum of \$400 a month during the duration of training.
 - j. Telecommunication - a maximum of \$200 monthly.
 - k. Other – a maximum of \$100 annually. i.e. eye wear, eye exam, professional attire for interviews, or any other allowable expense as deemed relevant to the removal of barriers approved by Board management.
5. Transportation assistance is available through gasoline cards/vouchers, bus cards, ride shares, or other allowable transportation services as set forth by federal regulation and/or state rule or guidance. A flat rate of \$25 per week for eligible customers participating in approved activities is adopted for gasoline assistance. Bus passes may be provided up to one month at a time.
 6. Exceptions to the funding limits and timeframes may be granted by workforce center contractor management on a case-by-case basis when extenuating circumstances exist, provided such action does not conflict with the specific program's rule or regulations.
 7. Supporting documentation for support services will be maintained in the client file. Contractors are required to conform to program and/or WSB record keeping requirements in documenting approval, denial and/or modification to WSB-sponsored supportive services or incentives.

Section 3: Vehicle Related Assistance

1. Participants must show current documentation that demonstrates vehicle ownership prior to obtaining approval for support services related to vehicle repairs, registration, inspection, insurance, and consumable requests.
2. A participant may receive supportive services for a vehicle owned by another individual provided the proof of actual ownership, a hold-harmless agreement, and permission of use for employment-related purposes is documented in the participant's employment plan prior to approval.
3. Vehicle registration and/or insurance expenses will be paid directly to the vendor upon receipt of a current invoice.

Section 4: Lodging and Travel Assistance

1. When there is no training provider that provides an industry- recognized credential locally for an occupation on the WSB Target Occupation List, WSB will provide lodging and transportation to eligible customers under the following circumstance:
 1. The maximum allowance for lodging and transportation will not exceed more than 25% of either the total training cost or total allowable maximum (as stated in Vol II, Ch.3, Subsection 5.4 of this manual), whichever is lowest.

Section 5: Support Services Assistance Recoupments

1. In the event that a customer received support services in error, albeit customer or contractor error, contractor staff will exercise due diligence in requesting recoupment of the expenditure and documenting any and all requests.
2. If the support service was provided as a result of inaccurate information given by the customer, the contractor will determine if fraud should be suspected and follow the process for filing a fraud complaint.
3. Contractor reserves the right to enter into a payment plan with the client for any erroneously issued support service assistance.
4. If the erroneous disbursement was due to contractor error and recoupment attempts fail, the Board will hold the contractor responsible for the erroneous costs. Reimbursement of these costs shall be made to the Board from non-federal funds within 30 days of the discovery.

Section 6: Incentives

1. Incentives may be provided to eligible customers if allowed by WIOA Youth and Choices program rules and in accordance with those rules and regulations, and provided in non-monetary forms such as no cash-back gift cards. Incentives may not be provided for entertainment purposes as stipulated in [WD letter 15-19.](#)
2. Incentives must demonstrate cost reasonableness and be tied to the size and nature of the achievement for which they are awarded and scaled to motivate customers to work toward the associated goal attainment and are not intended to reward a customer for meeting the minimum requirements of a program. Contractor management is granted the latitude to approve incentive amounts.
3. Incentives provided with WIOA funding are available for WIOA youth only. Incentives are for recognition and achievement directly tied to work experiences or training activities.
4. Incentives provided with TANF/Choices funding are available for mandatory and exempt Choices customers for achievement of goals such as but not limited to credential achievement, entered employment and employment retention.
5. Incentive cards must be safeguarded as if they were cash and internal controls must be employed in accordance with federal and state regulations. A clear separation of duties must be maintained for those issuing and disbursing non-monetary incentive cards.
6. Contractors will document the process for issuing incentives which must include at a minimum:
 - a. Documentation required and how it will be recorded in a timely manner;
 - b. Identification of WIOA and Choices eligible customers;
 - c. Deadlines for verification of goals achieved and desired outcomes met.

Section 7: Procedure

Contractor will develop procedures to effectively and efficiently implement the policies herein.

CHAPTER THREE: Training Services

Section 1: Purpose

The policies contained herein are designed to comply with federal, state and local regulations, rule and policy related to the provision of training services and the use of ITAs for training purposes as directed by FMCG, §8.1 and outlined in Texas Workforce Commission WD Letter 24-14, Change 1 and other issuances.

Section 2: Training Providers and Eligible Training Provider List Background:

Workforce Solutions Borderplex hereinafter referred to as “WSB”, as the official regional Workforce Development Board and as an extension of the Texas Workforce Commission, executes this policy in compliance with federal and state rules and regulations pertaining to the provision of funds for training and skills enhancement. Through its authority, WSB authorizes the Center Operator Contractor to operate and manage the day-to-day activities of all workforce centers and programs. Center Operator Contractor works directly with the Training Provider in approving and processing funds for training programs offered to eligible program participants. Training Providers are required to comply with the TWC Eligible Training Provider System (ETPS) certification process, WSB Training Provider Policy (this document) and the local certification process listed below, and with Center Operator Contractor Individual Training Account (ITA) process. Center Operator Contractor has the authority to modify the ITA process so long as it complies with the WSB Training Policy and all federal and state regulations.

Subsection 1: Target Occupations

1. WSB implements this policy in adherence with the federal Workforce Innovation and Opportunity Act and/or Texas Workforce Commission regulations, rules, policies and procedures related to Training Providers, the provision of training services, and the use of Individual Training Accounts (ITAs). If at any time board policy conflicts with federal or state requirements, those requirements will supersede board policy.
2. This policy may be utilized in the provision of training services available to other federal workforce programs including but not limited to Trade Adjustment Assistance, SNAP E&T, etc., or others as allowed by federal or state regulations.
3. WSB maintains a Target Occupations List (TOL) that is reflective of regional in-demand and emerging industry sectors and occupations. The Target Occupations List is developed with the labor market data made available through Texas Workforce Commission and in conjunction with regional economic development partners, employers, job seekers, workers and students residing in the workforce service area.
4. The factors used to create the Target Occupation List are employment growth, job openings, and the WSB living wage.

a. WSB Living Wage Definition – in order ensure self-sufficiency of program participants, WSB utilizes the MIT Living Wage calculation. Although the term “wage” is defined as payment made by an employer to an employee, there are several ways to group and describe groups wages depending on their meaning. Below are some common wage definitions:

Minimum Wage: The most widely recognized term when it comes to employee compensation. It is the lowest allowable rate of pay at which an employee may sell their work.

Median Wage: The wage “in the middle” of the group or population. El Paso County median wage is \$13.11. Half of the workers in the county are below or above this level.

Mean or Average Wage: The sum of all wages then divided by the number of wages in the data set.

Prevailing Wage: The rate of pay that contractors and vendors must offer their employees when doing business with a government agency. It reduces the ability of vendors to “low ball” their proposals for government contract to the detriment of their workers. Texas Workforce Commission defines prevailing wage as twenty five percent (25%) more than the entry wage for an occupation.

Living Wage: The hourly rate that an individual must earn to support their family without the need for public assistance. It reflects geographic costs related to a family’s likely minimum food, childcare, health insurance, housing, transportation and other necessities.

Based on the US Census, the following illustrates household size in El Paso County. According to this, the majority, or 69%, of households have 3 persons or less.

Household Size	Number of Households	Percentage
1	59,436	22.6%
2	72,315	27.5%
3	48,687	18.5%
4	43,910	16.7%
5	24,180	9.2%
6	9,606	3.6%
7	5,066	1.9%
Totals	263,200	100%

} 69%
3-person or less household

According to the MIT Living Wage Calculator, the following household sizes require these incomes annually to avoid the need for public assistance.

Hourly Wages	1 Adult	1 Adult 1 Child	1 Adult 2 Children	1 Adult 3 Children	2 Adults (1 Working)	2 Adults (1 Working) 1 Child	2 Adults (1 Working) 2 Children	2 Adults (1 Working) 3 Children	2 Adults (1 Working Part Time) 1 Child	2 Adults	2 Adults 1 Child	2 Adults 2 Children	2 Adults 3 Children
Required annual income before taxes	\$21,716	\$46,684	\$54,178	\$67,694	\$37,370	\$44,915	\$50,000	\$56,606	\$50,116	\$37,370	\$51,196	\$59,477	\$69,280

As discussed above, most households in El Paso County have 3 persons or less. Based on this calculation, WSB chose to utilize the income of “2 Adults + 1 Child” to calculate the hourly living wage.

The necessary annual gross income for 2 adults, 1 child	\$51,196
2 adults working full time (\$51,196 ÷ 2)	\$25,598
Hourly wage (\$25,598 ÷ 2,080) (40 hours per week x 52 weeks a year)	\$12.31

It could be assumed or defined that a household is made up of 1 adult with 2 children. As listed above, the income necessary for 1 adult with 2 children is \$54,178. In this scenario, the one adult would be the only person to generate the income necessary to support the entire family without public assistance.

The necessary annual gross income for 1 adult, 2 children	\$54,178
Hourly wage required to support this size household (\$54,178 ÷ 2,080) (40 hours per week x 52 weeks a year)	\$26.05

After consideration of both calculations, chose the \$12.31 living wage to utilize for internal policy, research benchmarking and performance outcome analysis.

Workforce Solutions Borderplex works with individuals that are unemployed, underemployed, dislocated and/or have barriers to employment. Through various strategies and tactics, WSB works with regional

educators and employers to place individuals into jobs that have a higher skill and/or wage. Although highly competitive, the \$26.05 hourly wage is not a realistic entry level wage for most of the job seekers WSB serves. For the purposes of transitional job placement, on-the-job training, internships, and subsidized employment, the \$12.31 Living Wage is more appropriate for WSB to utilize and benchmark its programs and service outcomes.

WSB will update its Living Wage each year utilizing the MIT living wage calculator and US Census demographic data. *(Adopted by the Board of Directors 9-19-19; effective 10-1-19)*

5. Written requests from employers or Training Providers to add an occupation to the Targeted Occupations List will be considered when local demand for an occupation has substantially increased since the TOL was developed as evidenced by submission of sufficient and verifiable documentation that demonstrates the occupation meets the board's approved targeted criteria, to include wage and annual employment openings, as verified through Texas labor market information obtained from official state and federal agency sources.
6. Approval of an occupation to be added to the TOL does not bind the board to commit funds to that training.
7. WSB Board has the right to approve trainings on a case by case basis that are not affiliated with the current Target Occupation List. *(Adopted by the Board of Directors 10-16-19; effective 10-16-19)*

Subsection 2: Training Provider Certification Criteria

1. To be an eligible training provider on the Eligible Training Provider List (ETPL) a provider must meet the following in accordance with WD Letter 05-19:
 - a. An institution of higher education providing a program that leads to an industry recognized postsecondary credential
 - b. An entity that provides Registered Apprenticeship training; or
 - c. A public or private training provider, which may include community-based organizations, joint labor-management organizations, and providers of Adult Education and Literacy (AEL) activities under Title II (if AEL training services are provided concurrently or in combination with occupation skills training, on-the-job training, incumbent worker training, and other training cited under WIOA §680.350.)
2. To be listed on the Statewide Eligible Training Provider List, the Training Provider and their corresponding training programs must first be certified by the TWC Career Schools and Colleges unit or other governmental regulatory agency that monitors quality and performance. The Training Provider must submit a copy of the TWC Certificate of Approval and the TWC list of Approved Courses or other acceptable proof of program and agency licensing from a regulatory agency.
3. A training provider must be appropriately licensed, regulated, or accredited, or must be exempt from regulation under Texas Education Code, Chapter 132, with authorization in a Letter of Exemption from TWC Career Schools and Colleges.
4. A provider's training programs must align with the Board's target occupations list and demonstrate that it offers its training programs in partnership with businesses by providing:
 - a. A letter of support from a local employer(s)
 - b. Evidence of the existence of an employer-based advisory committee
 - c. Any other means to quantify a need for the program being provided

5. Criteria for initial eligibility, based on TWC and WSB requirements includes all the following.
 - a Training Providers must be in operation at least two years prior to date of application and submit the last two years audited financial statements. Board management may, on a case-by-case basis, exempt entities from the two-year time-in-operation requirement if training capacity or programs is limited.
 - b Training Providers must provide the minimum English reading level required for each training program, as well as any other academic requirements.
 - c For certification renewals, Training Providers must submit documentation of their current performance based on the standards listed below for the most recent semester or program period end date. New program offerings are exempt from this requirement but are expected to conform upon request for certification renewal.
 - d Prior to the enrollment of any WSB participants into any programs listed under the WSB Eligible Training Provider System, Training Providers must sign the Letter of Agreement demonstrating their acceptance, understanding, and adherence of this policy.
6. A provider must submit the required program and student information requested by TWC, as specified in the ETP Reporting Requirements.
 - a. Changes to an ETPS certified program must be submitted to WSB no later than 30 days when a change is made. TWC has up to 60 days from the date of submission to review and approve or deny the change.
7. WSB reserves the right to request copies of Training Providers documentation submitted to TWC as part of the initial ETPS certification application process. Non-compliance with this request will result in denial or suspension of Training Provider's local certification.
8. Training Provider(s) must maintain a current address on file with WSB. WSB will notify Training Provider if eligibility must be re-certified based on TWC regulations at the time a change of address request is submitted.
9. WSB reserves the right to deny local certification, on an initial or renewal basis, if one or more of the requirements are not met. WSB may reconsider if missing and/or inaccurate data is made available or corrected.
10. WSB will notify Training Provider of approval or denial of any program/course in accordance with state statute.
11. If a Training Provider chooses to appeal a determination that they are ineligible to receive WSB funding for training services, the appeal must be done in accordance with the Board's Integrated Complaint, Hearings and Appeals Policy.
12. WSB reserves the right to conduct announced or unannounced site visits to any and all training locations for quality and compliance reviews as allowed by federal or state regulations.
13. Upon receipt of a grievance or complaint, WSB or designated contractor staff, will acknowledge receipt of the grievance to all parties for informal investigation and resolution with Training Provider within 30 days of original complaint. Complaints alleging fraud or criminal activity will be immediately reported to the state and proper authorities. The name of the complainant or informant will be kept confidential where possible. Where disclosure of the person's identity is essential to assure a fair determination of the issues, WSB and/ or designee will ensure responsibilities of disclosure will be under conditions that promote continued receipt of confidential information. WSB reserves the right to notify TWC Career Schools and Colleges Division and refer complaints for their investigation and resolution. Please note that customers may also file complaints directly with TWC against a Training Provider.

14. Training Providers that have five or more complaints with the potential for negatively impacting the learning/training process within a three-month period, will be placed on probationary status until TP can show proof of resolution and still adhere to the outlined performance standards. A complaint is counted per individual complainant, not per group of complainants or incident. During this period, WSB will not refer nor approve WSB funded program participants for enrollment into Training Provider courses. WSB has the right to implement a “hold” on WSB referrals and use of funds if reports, complaints, or suspected used of fraud, waste, abuse or any other violations occur. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

Subsection 3: Apprenticeship Programs

1. Department of Labor registered apprenticeship programs are automatically eligible to be listed on the TWC ETPL system. Registered apprentice programs must register with TWC in order to be listed.
2. Department of Labor registered apprenticeship providers are exempt from the performance standards listed in this policy but may be held to different standards if procured through a contract for direct services for a specific program or project.
3. WSB reserves the right to develop customized apprenticeship programs, or student worker programs, with Training Providers listed on the ETPL and are not exempt from the performance standards listed in this policy and may be held to different standards if procured through a contract for direct services for a specific program or project.

Subsection 4: Training Provider Performance Standards

Training Providers must comply with information requested by TWC on an annual basis in order to remain eligible on the ETPL list. TWC will monitor the following:

Program Completion Rate, Entered Employment, Job Placement Wage, and Training Related Placement. Information will be provided directly to TWC ETPL.

WSB reserves the right to publish quarterly performance and non-performance based data on all active ETPL Training Providers and provide such data to WSB participants as part of an informed decision process for selection of continuing education.

Subsection 5: Use of Funds for Skills Enhancement and Training

1. The TWC Eligible Training Provider System may be used for training services by all WSB programs as allowable by specific program regulations. WSB has the authority to contract with Training Providers directly for a specific program, initiative, project, purpose, or period through a project specific contract.
2. WSB may provide funding to eligible participants for skills enhancement and training for only those occupations listed on the WSB Target Occupations List. WSB Board has the right to approve trainings on a case by case basis that are not affiliated with current Target Occupation List. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*
3. WSB will not utilize funds for training programs that are offered for free by partners and/or Training Providers in the region. Exceptions will be approved on a case-by-case basis by WSB management, including Project Director.
4. The provision of training funds are made available via an Individual Training Account (ITA) or project specific contract, intended to help WSB area qualified residents with access to post-secondary education, including certificate and degree programs, and training for industry recognized credentials, and support leading

to skilled, well-compensated jobs with anticipated high employment demand. ITAs are limited to a two-year period and maximum of \$10,000 for training programs. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)* Board reserves the right to extend these limits in a case by case basis and where applicable to high impact opportunities.

5. A WIOA participant may enroll in WSB approved training while his/her application for a Pell Grant is pending. If and when the Pell Grant is approved, the training provider must reimburse the Board the WIOA funds used to underwrite the training for the amount the Pell Grant covers, including any education fees the training provider charges to attend training. Reimbursement is not required from the portion of Pell Grant assistance disbursed to the WIOA participant for education-related expenses. Training Provider must reimburse WSB within 30 days of the Pell Grant award by: a) full reimbursement or b) reflect credit in following invoice. *(Adopted by the Board of Directors 11-15-18; effective 11-15-18)*

6. Students may utilize private student loans to help cover costs above and beyond what can be covered by WSB training funds, grants, scholarships, and federal aid. Training Providers must fully disclose in writing and provide guidance on repayment, deferment options, interest rates, and any other information about funding outside of WIOA, such as withholding of degrees, transcripts, or certificates to students prior to enrollment.

7. Refunds are to be made in accordance with the institution's refund policy or per TWC regulations pertaining to Career Schools and Colleges.

8. If a participant is enrolled in a previously approved WSB-funded course and the corresponding occupation is subsequently removed from the Target Occupations List, the participant will be allowed to complete the course with WSB funds.

9. Customers who have completed training with assistance from WSB may receive additional training assistance when:

a. Training is within the career pathway of the occupation for which they were trained (e.g., medical assistant to RN); or

b. The customer is unable to perform the job (e.g., due to disability); or

c. The customer requires additional training to retain employment in the field originally trained for at a self-sufficient wage; or

d. The skills gained through training are no longer in demand by employers; or

e. Circumstances are justified, and documented in the case record, to provide additional training.

f. An additional related or stackable credential is determined to be necessary to increase employability

10. The Board will not reimburse Training Providers for tuition and fees for amounts more than what the public is charged for the same program.

11. The Board will not reimburse Training Providers for tuition and fees for training or vocational programs that are completed prior to a student obtaining a GED. Students that are co-enrolled in GED courses at the same time as other training programs (combos) must successfully pass the entire GED exam prior to completing the training or vocational program. The entire training program/combo must be detailed and outlined in the ITA in order for it to be approved prior to enrollment.

12. Requests from customers for training in occupations NOT on the WSB Targeted Occupations List will be considered on a case by case basis, in alignment with WIOA requirements and at the discretion of the CEO, when The customer has a verifiable employment offer from a local employer who is willing to hire the participant upon successful completion of the training and the employment offer meets the board's established targeted wage criteria (per performance standards).

Subsection 6: Training Provider Requirements

1. Training Providers are not required to form classes if the number of registrants does not meet their minimum course size requirements. However, once a course has begun and at least one (1) WSB funded student remains in the program, Training Provider must continue the course until its completion or find an alternative method for course completion for the student that aligns with the original course.
2. Training Providers are required to provide to WSB staff, contractors and program participants (students) the student application and registration documents which are signed on or before the first day of instruction.
3. Training Providers are required to provide to WSB staff and contractors the calendar of the start and end dates for each training program.
4. Training Providers will provide each WSB-funded student with course attendance and requirements before or upon enrollment.
5. Student attendance requirements must be consistent with what is required by the respective training program as necessary to achieve course objectives and demonstrate pursuit of satisfactory progress on the part of the student.
6. Training Providers will not charge WSB for any student enrolled in class until after the census date but before 30 days after the last day of the add/drop period for each semester. Invoices received after the 30 days from this period will not be accepted by WSB for payment, regardless if the student was approved into the program by WSB staff and subsequently accepted by Training Provider.
7. Students may be dismissed for absences in accordance with the Training Provider's attendance policy. Students on a pre-approved planned gap/absence are not subject to removal from the WSB-funded program.
8. Students with cumulative absences that equal more than 25% of total course/contact hours must be dismissed from WSB-funded training, unless the student can make up the course work with no further expense to WSB beyond the originally approved amount.
9. When an occurrence for a refund takes place, the Training Provider will issue WSB-funded courses only to WSB and no other party.
10. Training Providers are required to request approval from WSB any student status changes (e.g., training start dates, completion date change, reason for change) within 72 hours of occurrence. Automatic approval for student program change or extensions will not be granted. Requests for extensions will be reviewed on a case-by-case basis and be submitted at least 30 days before the original expected completion date. Extension and/or provision of additional program funds will not be reviewed until Training Provider can demonstrate past remediation and future support provided to student to ensure successful program completion. Pricing will also remain the same as when the initial contract was signed and agreed upon.
11. Training Provider must adhere to the processes, forms, and documentation established by the Contractor designated to manage Individual Training Accounts in accordance with WIOA regulations, state, and/or WSB policy,, this include price changes to courses.
12. Prior to enrollment, contractor staff will utilize the participant's individual employment plan, standardized test scores, Training Provider performance data, labor market data, and other relevant information to assist them in making an informed decision in the selection of appropriate training programs.
13. Training Providers are required to provide to WSB staff accurate student completion certificate and/or documentation within ten (10) days of program completion and job placement reported within ten (10) days of placement. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

Subsection 7: Use of Individual Training Accounts

1. Individual Training Account Agreements must be itemized in accordance with the approved Eligible Training Provider System (ETPS) application. ITA Agreements will include all itemized costs, (including those for supplies, tools, books, etc.), documentation, reporting and attendance requirements, etc., and be signed and agreed to in completion by the Center Operator, Training Provider, and Participant prior to enrollment in any course or program.
2. WSB reserves the right to not approve an ITA if its approval designee believes the training program is unattainable as proposed by the Training Provider. WSB, Training Provider and the student must collectively agree towards a plan that may be agreed upon and approved by WSB.
3. ITAs may not be used to pay for products or services not listed on the ETPS application and will not be used for payment of late fees, fines or penalties caused by customer error or delay. WSB and student will not be liable for any fees billed on the student's behalf that are not originally on the ITA Agreements.
4. Expenses listed on the ITA Agreement will be paid only through the completion date. Any costs incurred after the completion date will not be paid regardless if there is an ITA fund balance available.
5. Any fund balances remaining on an ITA upon completion of a training program will be de-obligated within 15 days after the receipt of the completion letter from the Training Provider.
6. WSB will not approve or be liable for any ITA that is submitted and/or modified in hand-written form or modified in any way from what the ETPS application shows as approved training costs. (WD 12-19)

Subsection 8: WSB Contractor Requirements

1. Contractors are required to conform to program and/or WSB record keeping requirements in documenting approval, denial, and/or modification to WSB-sponsored training program
2. Center operator staff will verify customer attendance and progress monthly, at a minimum, and maintain up to-date case management.
3. For training to continue, participants' grades and attendance must meet satisfactory performance. Appropriate action will be taken to address lack of progress and/or participation, barring extenuating circumstances.
4. Contractor must pay Training Provider within 30 days of receipt of a complete invoice.

Subsection 9: Training for customers with Limited English Proficiency (LEP)

1. WSB will collaborate with ESL providers such as Adult Basic Education providers to integrate vocational skills as needed to offer instruction in including ESL, vocationally relevant ESL classes, as part of a customer's services continuum as stipulated in WD Letter 47-09.

Training Providers must submit applications and existing Training Providers must submit new curricula for LEP customers, including intensive prevocational skills and integrated vocational skills-based language training. WSB may offer job training and other services while participants are enrolled in ESL classes, or provide those services after the participant completes ESL classes, as outlined in the employment plan, must be listed for TAA clients. Whenever practical, however, ESL classes should be conducted concurrently with the early stages of job training.

2. If LEP curricula is not provided via ETPS, WSB may elect to procure these services as needed. Training curricula for individuals with limited English proficiency may include, but not be limited to, any of the following learning methods:

- a) Vocational English as a Second Language (VESL)
- b) Spanish GED Preparation
- c) Work readiness skills
- d) Bridge training models
- e) Concurrent bilingual models

CHAPTER FOUR: Board Program Policies

Subchapter 4.1 Child Care Services

Section 1: Purpose

The purpose of the policies contained herein are to adhere to Texas Administrative Code, Title 40, Part 20, Chapter 809. Should a conflict between Board policy and the Texas Administrative Code (TAC) or other Texas Workforce Commission or federal guidance exist, federal and TWC guidance will control.

Section 2: Child Care Services (CCS) Payments

1. With the exception of eligible relative care providers, children will not be placed with providers “listed” with the Texas Department of Family and Protective Services (DFPS); therefore, reimbursement will not be made to providers listed with DFPS.
2. Providers are prohibited from charging the difference between the providers’ published rate and the amount of the reimbursement rate, to include the parent’s share of cost, to all parents receiving child care through CCS.
3. When transportation is needed, providers offering transportation will be reimbursed as follows:
 - If the transportation rate is included in the provider’s published rates, the provider is paid that rate or the board’s maximum reimbursement rate, whichever is lower.
 - If a separate transportation rate is charged, the transportation rate will be paid so long as the combined total (transportation rate and provider’s published rate) does not exceed the board’s maximum reimbursement rate.

Child Care Development Fund and Child Care Local Match Funded Care

- The fee scale is based on 185% of the Federal Poverty Guidelines at initial eligibility. The fee scale for these families is determined using the Parent Share Determination Chart.
- The parent share of cost at eligibility redetermination will be assessed in accordance with the Parent Share Determination Chart. Only at eligibility redetermination may families exceed the 185% Federal Poverty Guidelines (FPG) threshold, however, they cannot exceed 85% of the State Median Income (SMI).

	For Use at Initial Eligibility and Redetermination	May Only Be Used at Eligibility Redetermination if Income Exceeds 185% of FPG
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Family Poverty Guidelines (FPG)	050%	>50% - 75%	>75% - 100%	>100% - 125%	>125% - 150%	>150% - 175%	>175% - 185%	>185% 200%	>200% FPG - 85% SMI
1 st child	\$38	\$77	\$115	\$153	\$191	\$229	\$268	\$283	\$306
Each Additional Child	\$19	\$38	\$57	\$76	\$96	\$115	\$134	\$141	\$153

This policy was adopted by the board on 9/9/19 with an 10/1/19 effective date.

Parent Share Determination Chart

5. Other Texas Workforce Commission Funded Care

The fee scale for a parent’s share of child care costs established for families receiving child care through workforce funding contracted to the Board through the Texas Workforce Commission (e.g. Workforce Innovation and Opportunity Act) is determined using the Parent Share Determination Chart.

6. Care Funded by Sources Other than the Texas Workforce Commission

When child care is provided with funding from sources other than the Texas Workforce Commission, a parent will not be required to share in the cost of care unless required by the funding entity.

The Child Care Services – Parent Share of Cost Methodology criteria was created to ensure there is a fair and consistent approach across the parents receiving child care services. The following outlines the methodology process.

The child care services program subsidizes child care for low-income families, promoting long-term self-sufficiency by enabling parents to work or attend workforce training or education activities. It also educates parents about the availability of quality child care, which enhances children’s early learning.

Federal Child Care Development Fund regulations at 45 CFR §98.42 require that parents receiving child care assistance be assessed a parent share of cost. Parent share of cost must be on a sliding fee scale based on family size and income and may be based on other factors as appropriate but may not be based on the cost of care or amount of subsidy payment. Workforce Development Boards (Boards) must ensure that the sliding fee scale is based on family size and gross family income expressed as a percent of the U.S. Department of Health and Human Services Poverty Guidelines (aka federal poverty guidelines) or state median income for the appropriate fiscal year.

Subsidized childcare facilitates parental employment and education by reducing the cost of quality care. Workforce Solutions identified the need to develop a standardized and applicable methodology for determining the parent share of cost because we could not find a standardized calculation method. When creating the methodology, we wanted to ensure there is a fair and consistent approach across the parents receiving child care services.

We applied the following methodology based on an analysis of the following information and data set tools.

1. Average Family Size in El Paso, County, Texas. Source: United States Census Bureau - 2013-2017 American Community Survey 5-Year Estimates <https://factfinder.census.gov>
2. Living Wage Calculator for El Paso County, Texas - Year 2019. Source: The Massachusetts Institute of Technology (MIT) - <http://livingwage.mit.edu/counties/48141>
3. Parent share of cost assessment - Effective October 2019, through September 30, 2020. Source: Texas Workforce Commission WD letter 20-19 Attachment 2 <https://twc.texas.gov/files/partners/20-19-twc.pdf>

The average family size in Paso, County, Texas was 3.1. The living wage annual salary for a family of 3 was \$51,196 from which 10.77% were child care expenses. The number of days in a year receiving child care services for the year 2019 was 262 and average number of days in a month receiving child care services was 22.

The following outlines the steps taken to create the Parent share of cost methodology:

1. The annual child care expenses were determined by multiplying the lowest annual income amount in each bracket by 10.77%. Example: $4,230 * 10.77\% = 455$

Income Ranges as % of FPG/SMI	0 - 50%	51% - 75%	76% -100%	101% - 125%	126% - 150%	151% - 175%	176% - 185%	186% - 200%	201 FPG% - 85% SMI
Monthly Income Ranges (FPG/SMI)	\$353 - \$705	\$706 - \$1,057	\$1,058 - \$1,409	\$1,410 - \$1,761	\$1,762 - \$2,114	\$2,115 - \$2,466	\$2,467 - \$2,607	\$2,608 - \$2,818	\$2,819 - \$3,775
Lowest Annual Income (FPG/SMI)	\$ 4,230	\$ 8,472	\$ 12,696	\$ 16,920	\$ 21,144	\$ 25,380	\$ 29,604	\$ 31,296	\$ 33,828
Annual Child Care Expenses (10.77% from the Lowest Annual Income)	\$ 455	\$ 912	\$ 1,367	\$ 1,822	\$ 2,276	\$ 2,733	\$ 3,187	\$ 3,369	\$ 3,642

2. The Daily and Monthly parent share of cost was calculated with the following formulas:
 - Daily Parent Share of Cost Formula = Annual Child Care Expense divided by 262 days in a year.
Example: $455/262 = 1.74$
 - Monthly Parent Share of Cost Formula = Daily Parent Share of Cost multiplied by 22 days in a month
Example: $1.74*22= 38$

Income Ranges as % of FPG/SMI	0 - 50%	51% - 75%	76% -100%	101% - 125%	126% - 150%	151% - 175%	176% - 185%	186% - 200%	201 FPG% - 85% SMI
Annual Child Care Expenses	\$ 455	\$ 912	\$ 1,367	\$ 1,822	\$ 2,276	\$ 2,733	\$ 3,187	\$ 3,369	\$ 3,642
Daily Parent Share of Cost	$\$455/262 = \1.74	$\$912/262 = \3.48	$\$1367/262 = \5.22	$\$1822/262 = \6.95	$\$2276/262 = \8.69	$\$2733/262 = \10.43	$\$3187/262 = \12.17	$\$3369/262 = \12.86	$\$3642/262 = \13.90
Monthly Parent Share of Cost	$\$1.74*22 = \38	$\$3.48*22 = \77	$\$5.22*22 = \115	$\$6.95*22 = \153	$\$8.69*22 = \191	$\$10.43*22 = \229	$\$12.17*22 = \268	$\$12.86*22 = \283	$\$13.90*22 = \306

3. After the parent share of cost was calculated for each income bracket for the first child, the parent share of cost for every additional child was 50% of the first child in care. Example: $38 * 50\% = 19$

Parent Share of Cost	0 - 50%	51% - 75%	76% -100%	101% - 125%	126% - 150%	151% - 175%	176% - 185%	186% - 200%	201 FPG% - 85% SMI
First Child in Care	\$ 38	\$ 77	\$ 115	\$ 153	\$ 191	\$ 229	\$ 268	\$ 283	\$ 306
Each Additional Child (50% from the First Child)	\$ 19	\$ 38	\$ 57	\$ 76	\$ 96	\$ 115	\$ 134	\$ 141	\$ 153

WSB staff presented the methodology to the WSB childcare delivery contactor, the YWCA for review and agreement. WSB staff and contractor then presented new methodology to WSB Board of Directors for approval of methodology and approval to execute tool beginning October 2019. *(Adopted by the Board of Directors 9-19-19; effective 10-1-19)*

4. Workforce Solutions Borderplex redetermines parent share of cost annually to be effective every October 1st. In accordance CFR-Ch.809 Child Care Preamble, WSB will review sliding fee scale to ensure fees are not a barrier for families at a certain income level. WSB will maintain a report of all terminations due to failure to pay the parent share of cost, including family size, income, family circumstances, and the reason for termination. Report will be reviewed every six months to conduct evaluations of affordability to determine the impact to parents, child care providers, and child care program funds.

Effective October 1, 2018, WSB will begin evaluation of terminations due to failure to pay parent share of cost. WSB cannot establish frequency definition until comparative data can be gathered to measure impact. WSB analysis and frequency definitions will be determined after a full year of complete data. Additionally, severe fluctuations will be monitored and analyzed to determine if parent share of cost is impacting rate of terminations. WSB Board can determine if Parent Share of Cost needs to be changed. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

5. Providers will not be reimbursed by the Board or its CCS contractor for uncollected parent share of cost.

It is required that the Provider notify the CCS Contractor no later than 10 working days of non-payment of parent fee.

Upon notification, CCS Contractor will evaluate At-Risk family’s financial circumstances for possible reduction of PSOC before an early termination for nonpayment occurs. If the decision is to terminate care, the termination and appeal process will be applied. Parents will be required to pay the provider before the family can be redetermined eligible for future child care services.

Termination Due to Non-Payment of PSOC:

Below applies to any parent whose eligibility period begins before August 1, 2018:

- A parent who fails to pay PSOC will continue to be eligible and receive care for the duration of the eligibility period and at the time of eligibility redetermination, the parent’s case is subject to the mandatory 60-day waiting period.

Below applies to all eligibility periods that begin on or after August 1, 2018:

- If care is terminated due to nonpayment of PSOC, the mandatory waiting period of 60 calendar days will be applied before the family can reapply or be placed on a waiting list for child care services.

6. Attachment 1 sets forth the graduated reimbursement rates adopted for CCS Texas Rising Star (TRS) certified providers as well as the adopted rates for non-TRS CCS providers. As established in the Texas Administrative Code at §809.20(c), reimbursement rates cannot exceed the provider’s published rate.

Attachment 1 Maximum Reimbursement Rates Effective 10-1-19

	Infant Full	Infant Part	Toddler Full	Toddler Part	Preschool Full	Preschool Part	School-age Full	School-age Part
Licensed Center								

Current Regular Rate	\$ 22.15	\$ 19.31	\$ 20.24	\$ 17.55	\$ 18.66	\$ 13.91	\$ 17.54	\$ 12.43
2-Star*	\$ 28.55	\$ 22.99	\$ 26.48	\$ 21.83	\$ 25.08	\$ 17.19	\$ 23.97	\$ 16.37
3-Star	\$ 28.55	\$ 23.70	\$ 26.48	\$ 21.84	\$ 25.08	\$ 17.83	\$ 23.97	\$ 16.37
4-Star	\$ 29.62	\$ 26.33	\$ 27.40	\$ 24.26	\$ 25.56	\$ 19.81	\$ 24.25	\$ 18.17
Licensed Home								
Current Regular Rate	\$ 19.24	\$ 17.09	\$ 18.21	\$ 16.04	\$ 17.16	\$ 14.21	\$ 15.29	\$ 12.55
2-Star*	\$ 25.30	\$ 20.78	\$ 23.45	\$ 21.94	\$ 23.09	\$ 17.07	\$ 19.62	\$ 15.01
3-Star	\$ 25.30	\$ 21.35	\$ 23.45	\$ 21.94	\$ 23.09	\$ 18.27	\$ 19.62	\$ 16.48
4-Star	\$ 26.24	\$ 23.72	\$ 25.04	\$ 22.48	\$ 23.81	\$ 20.30	\$ 21.59	\$ 18.31
Registered Home								
Current Regular Rate	\$ 18.64	\$ 15.88	\$ 17.60	\$ 14.62	\$ 16.13	\$ 12.52	\$ 13.91	\$ 10.70
2-Star*	\$ 24.32	\$ 21.75	\$ 22.62	\$ 20.21	\$ 21.84	\$ 15.45	\$ 18.16	\$ 14.01
3-Star	\$ 24.32	\$ 21.75	\$ 22.62	\$ 20.21	\$ 21.84	\$ 16.45	\$ 18.16	\$ 14.46
4-Star	\$ 25.55	\$ 22.29	\$ 24.32	\$ 20.80	\$ 22.58	\$ 18.27	\$ 19.95	\$ 16.06
Informal Care (Self-Arranged Relative Care)								
Current Regular Rate	\$ 10.47	\$ 9.94	\$ 9.42	\$ 9.42	\$ 9.42	\$ 9.42	\$ 9.42	\$ 8.40
TSR Licensed Center								
Infant	\$22.15	\$19.31						
Toddler	\$20.24	\$17.55						
Preschool	\$19.60	\$14.61						
Schoolage	\$17.54	\$12.43						
TSR Licensed Home								
Infant	\$19.24	\$ 17.09						
Toddler	\$18.21	\$ 16.04						

Preschool	\$18.02	\$ 14.93						
Schoolage	\$15.29	\$ 12.55						
TSR Registered Home								
Infant	\$18.64	\$ 15.88						
Toddler	\$17.60	\$ 14.62						
Preschool	\$16.94	\$ 13.15						
Schoolage	\$13.91	\$ 10.70						

*In addition to providers who earn a 2-Star rating, the 2-Star rating will be applied “only for preschool-age children at child care providers that participate in integrated school readiness models pursuant to Texas Education Code 29.160,” unless the entire facility receives a higher TRS rating. In such cases, the higher TRS rating will be applied.

(Initiated by TWC 9-24-19; effective 10-1-19)

Section 3: Child Care Eligibility and Redetermination

1. The maximum income level used to determine initial income eligibility for child care services is 185% of the Federal Poverty Guidelines (FPG).
2. Family income eligibility for continued care will be up to 85% of the State Median Income at the following times:
 - At the 12-month redetermination;
 - Once a parent resumes activities during the three-month period described in §809.51; and
 - Anytime a parent reports a change in income that may exceed 85% of the State Median Income.
3. A standard deduction of 40% from gross monthly receipts will be applied to cover the cost of operating the business when income is from self-employment. Self-employment income from gross receipts includes the value of all goods and services sold from one’s own business, professional enterprise or partnership. Should a parent believe their expenses exceed the standard deduction, the parent must provide documentation to be used in itemizing the expenses. *(Adopted by the Board of Directors 5-18-17; effective 5-22-17)*
4. At the time of eligibility and eligibility redetermination, parents, including parents receiving transitional child care, must meet participation hours in training, education and/or employment in order to receive CCS care.
 - A single-parent family must participate in training, education, and/or employment activities for an average of 25 hours or more per week in order to receive CCS care.
 - A two-parent family must participate in training, education and/or employment activities for an average of 50 hours or more per week in order to receive CCS care.
5. When a parent’s documented medical disability or need to care for a physically or mentally disabled family member prevents the parent from participating in activities for the required number of hours per week, CCS care may be provided for reduced hours of participation in allowable activities.
 - When one parent in a two-parent family has medical documentation that indicates the parent cannot participate in work, education or training and cannot care for his/her children, then the parent’s participation requirement may be reduced to zero (0). Child care may be provided as long as the second parent is participating in work, education or training at least an average of 25 hours per week.

6. At the time of eligibility determination or re-determination, a child with a documented physical or mental disability and who is under 19 years of age may be determined eligible for child care.
7. Child Care Services will be terminated during eligibility period due to programs violations in accordance to amended rules; with an effective date of 8-1-18:
 - Unexplained absences in excess of 40 days; excessive unexplained absences will result in a finding of a program violation for At-Risk, Choices, Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T), and former Texas Department of Family and Protective Services (DFPS) child care cases. A mandatory waiting period of 60 calendar days must be observed before the parents of the child who was terminated from child care services can reapply or be placed on a waiting list. Early terminations due to excessive unexplained absences are reported in The Workforce Information System of Texas (TWIST) with the termination reason Excessive Unexplained Absences. Before terminating care for excessive unexplained absences, the CCS Contractor will document multiple attempts to provide notice of each child's general absences and the potential for termination of child care services. The multiple attempts which consist of 3 attempts at variable times will be documented in TWIST counselor notes.
 - When the provider has reported the nonpayment of parent share of cost (PSOC) to the CCS Contractor; nonpayment of PSOC will result in a finding of a program violation for At-Risk child care cases. The CCS contractor will evaluate a family's financial circumstances for possible reduction of PSOC before an early termination for nonpayment occurs. If care is terminated due to nonpayment of PSOC, a mandatory waiting period of 60 calendar days must be observed before a family can reapply or be placed on a waiting list for child care services. Parents will be required to pay the entire PSOC from the time the provider reported to the CCS Contractor before the family can be redetermined eligible for future child care services. (Adopted by the Board of Directors 8-16-18; effective 8-16-18)
8. Child Care services will not be paid for during an appeal when services have been terminated due to excessive unexplained absences or nonpayment of PSOC. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

Section 4: Child Care for Education and Training

1. Parents must maintain standards of "satisfactory progress" at the time of eligibility redetermination in order to receive child care. Satisfactory progress is maintained if the education and/or training provider permits the student to enroll in classes.
2. Time limits have been established for parents utilizing child care to attend education.
 - Four (4) years will be granted to complete an Associate Degree.
 - Child care may be authorized for up to 150 credit hours to complete a Baccalaureate (Bachelor's) Degree.
 - Basic education and English as a Second Language (ESL) credit hours will not be counted in the accumulated credit hours earned toward a degree.
 - Waiver requests to the time limit may be granted or denied by the CCS Administrator or designee on a case-by-case basis if a parent/caretaker is within one semester of completing a degree.
 - Customers who have been denied a waiver must be advised of available appeals procedures.
3. Time limits have been established for parents utilizing child care to attend occupational training.
 - Not to exceed two years.

- Waiver requests may be granted or denied by the CCS Administrator or designee on a case-by-case basis if the parent is within one semester of completing the training.
 - Customers who have been denied a waiver must be advised of available appeals procedures.
4. Time limits have been established for parents utilizing child care to attend Basic Education.
 - One (1) year as a stand-alone activity. Thereafter, basic education activities must be combined with occupational education/training or employment activities.
 5. Time limits have been established for parents utilizing child care to attend English as a Second Language.
 - Two (2) years as a stand-alone activity. Thereafter, ESL must be combined with occupational education/training or employment activities.
 6. Child care will be limited to one completed occupational training or educational opportunity per parent, unless:
 - The skills gained through training are no longer in demand by employers; or
 - Additional education or training is within the career path of the occupation for which they were trained (e.g. nurse's aide to LVN); or
 - The parent is unable to perform the job (i.e. due to disability); or
 - The parent needs additional training to retain employment in the field trained for at a self-sufficient wage; or
 - The additional education or training is still within the respective two (2) year occupational training limit or four (4) year (Associates Degree) or 150 (Bachelor's degree) credit hours limits on education.
 7. Grandfathering will be applied in cases whereby a parent was enrolled in a Master's program and receiving Child Care Services prior to October 1, 2016, provided the parent continues to be eligible for care and child care has not terminated.

Section 5: Services to Families

1. When there is a lack of CCS funding or a lack of providers, families may be placed on a waiting list if a family meets income and participation requirements.
 - Parents may self-attest to income and participation for waiting list placement.
 - Parents must contact the CCS every 90 days to indicate continued need for child care. Failure to make required contact will result in the family record being removed from the waiting list.
 - Families will be placed into child care from the waiting list in accordance with priority of service as delineated at §809.43, and with the third priority group identified in the Board's priority of service policy followed by all other eligible customers.
2. Parents may voluntarily request a transfer from one child care provider to another. Voluntary transfers will be completed in an expeditious manner if/once a parent is current with the parent share of cost and has demonstrated regular use of the CCAA card.
3. Parents may choose in-home relative child care in accordance with §809.91(e)(3) for circumstances in which the CCS determines and documents that other child care provider arrangements are not available in the community, with "community" defined as the village, town, or city in which the family seeking child care resides.
4. On a case-by-case basis, parents who are attending a program that leads to a postsecondary degree from an institution of higher education may be exempted from the requirement to reside with the child. Child care will be authorized based upon the caretaker's work, training, or school schedule. Should extenuating circumstances exist (e.g. caretaker does not work, attend training or school but requires child care to receive dialysis), and on a case-by-case basis, the CCS Administrator or designee may consider a waiver request.

5. On a case-by-case basis, parents may select licensed child care providers in a neighboring state, in accordance with §809.91(a)(3).

Section 6: Non-Compliance and Fraud

1. A child care provider, including an owner, operator, director or employee of a child care facility, in possession of a CCAA card or is recording attendance on behalf of a CCS-funded parent will have their CCS provider agreement cancelled for one year. A second such incidence will result in a permanent cancellation of the CCS provider agreement.
 - a. If fraud is suspected, a fraud investigation will be conducted in accordance with WD Letter 21-60, to include subsequent issuances and appropriate action will be taken in accordance with remedies/consequences as allowable under Texas Workforce Commission rules and as delineated in the Board's fraud policy; to include but is not limited to permanent cancellation of the CCS provider agreement and criminal prosecution.
2. When it is determined that a parent, which includes a guardian or person serving as in loco parentis, and/or secondary cardholder has given his/her CCAA card to a provider or provided the CCAA PIN to a provider, the parent will be notified that such action is not permitted and that such action could trigger a fraud investigation. If fraud is suspected, a fraud investigation will take place in accordance with WD Letter 21-60, to include subsequent issuances and appropriate action will be taken in accordance with remedies/consequences as allowable under Texas Workforce Commission rules and as delineated in the Board's fraud policy; which includes but is not limited to termination of child care services and criminal prosecution.

Section 7: Procedures

Contractor will develop procedures to operate the child care program effectively and efficiently within federal, state and board policy and guidelines.

Subchapter 4.2 Workforce Innovation and Opportunity Act (WIOA) Services

Section 1: Purpose

The purpose of the policies contained herein are to promote adherence to the Workforce Innovation and Opportunity Act of 2014, U.S. Department of Labor issuances to include TEGL 19-16 (to include subsequent issuances), and Texas Workforce Commission guidance through WD Letters, TA Bulletins, the WIOA Guide and other issuances to assist individuals in obtaining sustainable employment. Should a conflict between Board policy and federal or state rules, regulation or guidance exist, federal and state issuances will control.

Section 2: Eligibility

1. Eligibility determination will be conducted in accordance with federal, state (TWC) and Board regulation, rule, policy and guidance.
2. The U.S. Department of Labor (DOL) Employment and Training Administration's 100% Lower Living Standard of Income Level (LLSIL) has been adopted as the minimum self-sufficiency wage levels to determine if a WIOA participant is receiving local self-sufficiency wages.
 - a. In accordance with WD Letter 15-16, including subsequent issuances, to determine whether a WIOA participant is receiving local self-sufficiency wages, Boards must compare the participant's current wages

earned must be compared to the locally determined self-sufficiency wage levels that are based on the DOL 100% LLSIL.

- b. The LLSIL table may be divided into smaller increments than the annual salary shown by the U.S. Department of Labor Employment and Training Administration provided wages are not divided into increments smaller than one week.
3. A low-income individual or an individual who lives in a high-poverty area and who requires additional assistance to enter or complete an educational program, or to obtain or retain employment is defined by an eligible ISY/OSY youth who is one of the following:

ISY:

- a. is at risk of losing secondary school credit or being dropped from school due to habitual truancy, as defined by the school (school records);
- b. is a secondary education student who plans to attend college, will be the first generation in the family to do so and requires services to achieve this goal, or is a first-generation college student who requires services to complete college (self-attestation);
- c. did not maintain an average equivalent to 70 on a scale of 100 in one or more subjects in the preceding or current year (school records);
- d. during the past two school years was not advanced from one grade or course level to the next, or is one or more grade levels below the grade level appropriate to the age of the individual (school records or self-attestation);
- e. has been placed in an alternative, disciplinary education programs, or on probationary programs/status, during the preceding or current school year (school records or self-attestation);
- f. has been expelled during the preceding or current school year (school records and self-attestation);
- g. was previously reported to have dropped out of school and remains “at-risk” for the remainder of his/her public school education or post-secondary education (school records and self-attestation);
- h. failed all or part of any State of Texas test required for graduation or post-secondary education certifications (e.g. STAAR, or vocational certification) (school records or self-attestation);
- i. learning barrier has been identified through mental health or trauma, preventing youth from focusing and concentrating on studies and accomplishing measurable learning goals (self-attestation);
- j. was homeless during the past two years (self-attestation);
- k. resided during the past two years in a residential placement facility, including a detention center, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home (facility records or self-attestation);
- l. is a migrant, or whose parents, spouse, or guardian is a migratory agricultural worker (self-attestation);
- m. has not been able to retain steady employment for more than 2 consecutive months (self-attestation and UI records);

- n. family member is unemployed or lost job during the past 6 months, includes spouse, partner, or parent within the same household (UI records and self-attestation of family member);
- o. applicant is 20 years of age or older and does not own a vehicle (self-attestation);
- p. resides in a single parent household (self-attestation);
- q. environmental barrier has been identified such as but not limited to extreme poverty, hunger, family drug abuse, self-disclosed high family conflict etc. (self-attestation);
- r. has been terminated from two or more jobs within the last 12 months except for misconduct connected with work (UI records and self-attestation);
- s. lacks skills necessary to secure and hold employment (self-attestation); or
- t. who meets any of the additional assistance definitions listed above (a-s) and priority 6 income definition listed in Volume I, Chapter 1, Section 2 of this policy manual. The priority 6 income definition will take the place of the low income/high poverty area condition. Please reference number 4 for the five percent exception requirements.

OSY:

- a. was homeless during the past two years (self-attestation);
- b. resided in a residential placement facility during the past two years, to include a detention center, substance abuse treatment facility, emergency shelter, psychiatric hospital, halfway house, or foster group home (facility records or self-attestation);
- c. is a migrant, or whose parents, spouse, or guardian is a migratory agricultural worker (self-attestation);
- d. has not been able to retain steady employment for more than 2 consecutive months (self-attestation and UI records);
- e. family member is unemployed or lost job during the past 6 months, to include spouse, partner, or parent within the same household (UI records and self-attestation of family member);
- f. applicant is 20 years of age or older and does not own a vehicle (self-attestation);
- g. resides in a single parent household (self-attestation);
- h. environmental barrier has been identified such as but not limited to extreme poverty, hunger, family drug abuse, self-disclosed high family conflict etc. (self-attestation);
- i. has been terminated from two or more jobs within the last 12 months except for misconduct connected with work (UI records and self-attestation);
- j. lacks skills necessary to secure and hold employment (self-attestation); or
- k. meets any of the additional assistance Board definitions listed above (a-j) and priority 6 income definition listed in Volume I, Chapter 1, Section 2 of this policy manual. The priority 6 income definition will take the place of the low income/high poverty area condition. Please reference number 4 for the five percent exception requirements.

(Adopted by the Board of Directors 8-15-19; effective 8-15-19)

4. Certification of youth who do not meet income eligibility requirements must be approved by the Contractor's Project Director or designee to ensure that the number of youth who would otherwise be covered individuals except that the youth who are not low income does not exceed the five percent ISY/OSY exception and the five percent ISY limitation rules as set forth in WIOA at Sec. 129 (a)(3)(A)(i) and (ii) and (a)(3)(B).

Section 3: Basic Skills Deficiency and English Language Learner

1. For WIOA Youth, basic skills deficiency will be determined through TABE test scores. A TABE test score of 8.9 or below is considered, "at or below the 8th grade level."
2. The TABE test or similar testing tool may be used to determine whether or not a WIOA Adult is basic skills deficient. An individual is determined basic skills deficient if the individual is unable to compute or solve problems, or read, write or speak English at a level necessary to function on the job, in the individual's family, or in society. A TABE test, or its equivalent, score of 8.9 or below is considered, "at or below the 8th grade level."
3. Self-attestation or notes in TWIST Counselor Notes are acceptable documentation to support that an individual is an "English Language Learner".
4. To determine basic skills deficiency for Youth and Adults, assessment as part of an education or training program may be utilized provided the assessment was made within the last six months.
5. WD letters [26-18](#) and [16-19](#), to include revisions and replacements, is adopted for TWIST data validation outcomes.

Section 4: Dislocated Worker – Plant Closure, Natural Disaster and General Economic Conditions Defined

1. For dislocated workers, a general announcement of plant closing is defined by the board as a written notice from the employer to employee of plant closure, a WARN letter, or career center or BSU staff verification with company of plant closure.
2. For eligibility purposes related to a self-employed individual who become unemployed as a result of a natural disaster, the board defines a "natural disaster" as any event or force of nature that has catastrophic consequences, such as flood, fire, lightning, tornado, or other similar disaster.
3. For eligibility purposes related to a self-employed individual who became unemployed as a result of general economic conditions in the community in which the individual resides, the board considers "general economic conditions" to include, but are not limited to: economic recession, depression, unemployment rate, inflation, levels of current account and budget surpluses or deficits, and gross domestic product (GDP) growth rates.
4. In addition to providing career and training services to individuals who are unemployed, a significant number of job seekers are underemployed. Dislocated Worker funding may be used to help eliminate barriers in order to help individuals obtain self-sufficiency wages. For eligibility purposes, a laid off status from the previous job is sufficient to qualify for Dislocated Worker funds as long as the current job is not in the same occupation and the laid off notice is within a five-year timeframe from the current employment start date.

Examples of underemployed individuals that the policies may include are:

- a) Individuals employed less than full-time who are seeking full-time employment; (Full-time is 30 hours or more); or
- b) Individuals who are employed in a position that is inadequate with respect to their skills and training in an occupation not related to their education or skills;
- c) Individuals who are employed who meet the definition of a low-income individual in WIOA sec. 3 (36); and

- d) Individuals who are employed, but whose current job earnings are not at least 75% of previous employment wages which qualified them for WIOA Dislocated Worker status.

(Adopted by the Board of Directors 8-15-19; effective 8-15-19)

Section 5: Transitional Jobs

1. Transitional jobs may be provided to Adult and Dislocated Workers in accordance with WIOA regulation, TEGL 19-16 (to include subsequent issuances), and the issuances from the Texas Workforce Commission.
2. Transitional jobs may be provided through public, private or non-profit employers.
3. Wage subsidies may be provided at a rate up to 100%.
4. The hourly wage will not exceed the wage rate of a regular employee doing the same type of job with similar experience.
5. Transitional job placements are time limited; generally three to six months in length, and should not exceed six months in length. Exceptions to the time limit may be granted based upon extenuating circumstance (e.g. employer will hire within 14 days) and with workforce center Director's (or designee's) approval. Extensions to the time limit are limited to a maximum of 60 days.
6. Under no circumstance will weekly participation in transitional jobs exceed 40 hours per week.
7. Transitional jobs are intended for participants who have barriers to employment and are chronically unemployed or who have an inconsistent work history. Individuals with "chronic unemployment" or an "inconsistent work history" are those who: 1) Have been unemployed for 10 consecutive weeks or longer; 2) Were unemployed at least six months of the past 12 months; or 3) Have held two or more jobs in the past 12 months and are currently unemployed or underemployed.
8. Support services for transitional jobs may include, but are not limited to transportation assistance and child care assistance, and are based on individual participant needs.

(Adopted by the Board of Directors 5-18-17; effective 5-22-17)

Section 6: Customized Training and Incumbent Worker Training

Workforce Solutions Borderplex can utilize Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds to provide for incumbent worker training. Incumbent worker training serves to increase the competitiveness of the employee or employer and is designed to meet the specific requirements of an employer or group of employers to retain a skilled workforce, avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment.

When funding is available, WSB will contribute funds when at least ten (10) employees but no more than twenty (20) from one or a group of employers is willing and able to enroll in a training, either on or off-site, for no more than 6 months consecutively. WSBs contribution will not exceed the cap imposed by TWC guidelines and will be determined on an annual basis.

On a project-by-project basis, WSB may contribute/match up to \$2,500 for each employee being trained and will determine the employer's share of cost on a case-by-case basis in accordance with WD Letter 06-19. The non-Federal share shall not be less than 10% of the cost, for employers with 50 or fewer employees; 25% of the cost, for employers with 51–100 employees; and 50% of the cost, for employers with more than 100 employees.

Incumbent Employee Eligibility:

The incumbent workers enrolled into a WSB sponsored incumbent worker training project do not have to meet the requirements for WIOA career and training services. Incumbent workers may opt to enroll into the WIOA program and obtain additional support services and, at that time, be subject to the program requirements. At least 50 percent of the employees within one or a group of employers must have each worked at least 30 hours a week and have been hired by the business(es) a minimum of 6 months prior to the date training begins.

Employer Eligibility:

Employers must meet all the criteria listed below to be eligible for incumbent worker training funds:

- Employer must have a Texas Workforce Commission (TWC) Tax Account Number with a status of active and liable and must have an employer account in WorkInTexas.com with the same TWC Tax Account Number.
- Employer must agree to contribute the difference in the cost of training for each employee in accordance with TWC non-Federal share formula, which may be in-kind and/or wages while in training;
- Employer must agree to a pre-determined schedule of training whether it is provided on or off-site and allow employees to attend the training without impact to their employment status during the training period;
- Training must be for occupations that are listed on the WSB “Hottest Job List” at the time of project development;
- Training completion must include an industry-recognized certificate, license, or credential;
- Employers must commit that upon successful completion of the training and obtainment of the credential, they will retain all trained employees and increase employee’s wages to the prevailing wage for the new occupation. Prevailing wage is 25% more than the entry level wage for each occupation.
- All training must be provided by a provider that is listed on the WSB Eligible Training Provider List in good standing or has been competitively procured by WSB for the specific training program;

Procedure:

WSB will develop a Project Term Sheet/Letter of Agreement with the employer or group of employers involved in the project. The Letter of Agreement will include at a minimum: description of training and curriculum, factors used to determine project feasibility, purpose and expected outcomes, timelines and milestones, party funding commitments, and identification of training provider(s). WSB will request from the employer(s) employee information, that WSB will protect in accordance with the Personal Identifiable Information Policy, the use of unique cohort ID# to track training and will use Attachment 1 of WD Letter 06-19 to document worker training information.

(Adopted by the Board of Directors 8-15-19; effective 8-15-19)

Section 7: On-the-Job Training (OJT)

On-the-job training (OJT) is provided by an employer to a paid participant while engaged in productive work in a job that provides knowledge or skills essential to the full and adequate performance of the job is made available

through a program that provides reimbursement to the employer of up to 50 percent of the participant’s wage rate for the extraordinary costs of the training and additional supervision related to the training; and is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the training content and the participant’s prior work experience and service strategy as described in WIOA §3(44).

1. A reimbursement to employers for wage rate for the cost of training may be authorized in accordance with TEGL 19-16 and the TWC WIOA Guide.

Boards may increase the reimbursement rate of OJT contracts up to 75 percent, when taking into account the following factors:

- a) The characteristics of the participants—whether they are “individuals with barriers to employment” as defined in WIOA §3(24);
- b) The size of the employer, with an emphasis on small businesses (a business with 250 or fewer employees);
- c) The quality of employer-provided training and advancement opportunities (e.g., if the OJT contract is for an in-demand occupation and will lead to an industry-recognized credential);
- d) Other factors the Board may determine to be appropriate, which may include the number of employees participating, employee wage and benefit levels (both at present and at completion), and relation of the training to the competitiveness of the participant.

Section 8: WIOA Youth Training

WIOA out-of-school youth will have access to the statewide list of eligible training providers, known as the Eligible Training Provider System, and the use of Individual Training Accounts for training-related costs.

Section 9: Follow-up Services

1. Follow-up services for Adult and Dislocated Workers may include, but are not limited to:

- Counseling about the workplace;
- Career guidance;
- Contact with the participant’s employer to facilitate communication and assistance with work-related issues;
- Referrals to overcome barriers;
- Services such as peer support groups to facilitate employment retention

Follow-up services and the intensity of the services will vary depending on the need of the individual Adult or Dislocated Worker. Follow-up services must be offered within the first 30 days of last service and should occur at least monthly, to identify if assistance is needed for employment retention, wage gains and career progress. Follow-up services should be tracked in TWIST using the Follow-up codes and documented into TWIST Counselor Notes. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*

2. Follow-up services for Youth, Adult, and Dislocated Worker is required for a minimum of 12 months. Follow-up services include, but are not limited to:

- Regular contact with the participant’s employer to include providing assistance with work-related issues;
- Support services; (WIOA Youth only);

- Adult mentoring;
- Financial literacy and education;
- Labor market and employment information to include career awareness, career counseling and career exploration;
- Activities to assist youth participants in transitioning to post-secondary education

Follow-up services and the intensity of the services will vary depending on the need of the individual Youth participant. Follow-up should occur at least monthly to determine if additional assistance is needed and will be conducted in accordance with [TEGL 21-16](#), to include subsequent issuances.

The following are instances when follow-up services may not be provided. They include but are not limited to:

- Participant has moved from the WSB area;
- Participant has been institutionalized;
- Participant declines to take part in follow-up services

Thorough explanation of the reason that follow-up is not provided must be entered into TWIST Counselor Notes.

In circumstances when a participant cannot be contacted or located after several appropriate documented attempts to reach the customer and contact attempts are thoroughly documented in TWIST Counselor Notes, the case can be closed.

(Adopted by the Board of Directors 5-18-17; effective 5-22-17)

Section 10: Procedures

Contractor will develop procedures to operate the WIOA programs effectively and efficiently within federal, state and board policy and guidelines.

Subchapter 4.3 Unemployment

Section 1: Purpose

The purpose of the policies contained herein are to adhere to Texas Workforce Commission guidance provided through WD Letters, TA Bulletins, and other issuances. Should a conflict between Board policy and state guidance exist, state issuances will control.

Section 2: Job Search for Individuals Receiving Unemployment Insurance

1. In accordance with WD Letter 01-12, to include subsequent issuances, an annual review of the number of weekly job search contacts must be conducted. The following weekly job search contact requirements have been established by county:
 - A minimum of five weekly job search contacts must be made by people receiving UI benefits in El Paso County.
 - A minimum of two weekly job search contacts must be made by people receiving UI benefits in the counties of Brewster and Presidio.
 - A minimum of one weekly job search contact must be made by people receiving UI benefits in the counties of Culberson, Hudspeth and Jeff Davis.
2. Methodology for formulating the required number of work search contacts for the Workforce Solutions Borderplex area will, at a minimum, be based upon review of the following:
 - Unemployment rate by county based upon the most current quarter;

- Labor Force; and
- Number of relevant employment opportunities.

Section 3: Rapid Response

1. Rapid Response participants must be fully registered in WorkInTexas.com before receiving any services from Workforce Solutions office staff.
 - Boards must be aware that following the implementation of the new_WorkInTexas.com, all Rapid Response events must be entered into WorkInTexas.com. Boards must ensure that local Rapid Response coordinators obtain all pertinent company and individual (that is, attending workers’) information for reporting purposes.
 - Boards must be aware that new Rapid Response registration forms, including the Layoff Notification/Action Form, will be available to Workforce Solutions Office staff in the Forms section of TWC’s intranet. These new forms will accommodate the collection of all required information necessary to complete a full registration in WorkInTexas.com for Rapid Response event participants.

Section 4: Rapid Reemployment Services and Eligibility Assessment (RESEA)

1. Rapid Reemployment Services and Eligibility Assessment (RESEA) shall be provided in accordance with requirements and guidance set forth by the Texas Workforce Commission as stipulated in Reemployment Services and Eligibility Assessment (RESEA) Program Guide; to include all four services as listed in the RESEA guide in which RESEA Orientation, UI benefits eligibility assessment, Customized labor market information, and the Individual Reemployment Plans (EP) are required to be completed in person.

Section 5: Procedures

Contractor will develop procedures to operate RESEA effectively and efficiently within federal, state and board policy and guidelines.

Subchapter 4.4 Trade Adjustment Assistance (TAA)

Section 1: Purpose

The policies contained herein are designed to promote adherence to federal and state (TWC) regulations, rules and guidance for the TAA program to move Trade-certified workers into suitable employment, new jobs that meet 80 percent wage replacement goal, and to do so as quickly and effectively as possible. At any time should a conflict exist between federal or state issuances and board policy, federal or state issuances will supersede board policy.

Section 2: Delivery of TAA Services

1. All federal and Texas Workforce Commission (TWC) guidance, rules, regulations and issuances pertaining to TAA will be followed.
2. Promote the use of Workforce Innovation and Opportunity Act (WIOA) services to support rapid reattachment to the workforce.
3. Referral to prevocational and vocational training if suitable employment is not available.
4. Develop On-the-Job training (OJT) and customized training opportunities with employers offering jobs in occupations that meet the 80 percent wage replacement goal, including opportunities for participants to supplement OJT with remedial education as necessary before and during OJT. In accordance with TEGL 19-

16 and subsequent issuances, WIOA funds may be used to reimburse employers up to an additional 25 percent for a co-enrolled TAA participant, to bring the total reimbursement to employers up to 75 percent to align TAA program benefits with WIOA flexibility that the Board has adopted in its WIOA OJT policy. *(Adopted by the Board*

of Directors 5-18-17; effective 5-22-17)

5. Provide training that offers dual-language training programs as necessary to assist limited English proficiency (LEP) participants in achieving job readiness in a high-demand or targeted occupation with long-term employment opportunities.
6. Assist in job retention and career advancement.
7. Co-enrollment into other workforce programs is allowable and Support Services may be provided with non TAA workforce funds.
8. If the distance from residence to training site exceeds 25 miles one way, Boards must ensure that travel and/or subsistence costs are included in the cost of TAA training. Cost is based on the entire travel distance, not just the distance over 25 miles as stipulated in WD letter 08-18. *(Adopted by the Board of Directors 8-16-18; effective 8-16-18)*
9. Benchmarks will be established and monitored for progress.

Section 3: Procedure

Contractor will develop procedures to operate the TAA program effectively and efficiently within federal, state and board policy and guidelines.

Subchapter 4.5 SNAP Employment and Training

Section 1: Purpose

To establish local policy for the delivery of Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) services in accordance with Texas Administration Code Chapter 813, Texas Workforce Commission (TWC) SNAP E&T Guide, TWC WD Letters to include but are not limited to 06-13, 27-10 01-04, and 07-17 as revised or replaced. If at any time federal or state TWC guidance differs from Board policy, TWC federal and state guidance will supersede Board policy.

Section 2: Delivery of SNAP E&T Services

1. Services will be provided in compliance with all federal and state SNAP E&T regulation and rules, applicable TWC WD Letters, and the TWC SNAP E&T Guide.
2. Daily outreach of all Able Bodied Adults Without Dependents (ABAWD) will occur, to include those who appear on the Customer Load Exceptions tab in TWIST.
3. General Population outreach will occur in each county on an at-least monthly basis; 10% of individuals will be outreached by the service provider.
4. "No available transportation and the distance prohibits walking" is defined as a distance of two or more miles, with exceptions based on individual circumstances such as physical limitations, inclement weather, customer accompanied by children.
5. "No available job within reasonable commuting distance" is defined as greater than 50 miles one way to and from the work site. Distance is measured from the customer's place of residence.

6. If formal or informal child care is not available within a 15-mile radius of work, home or anywhere between work and home, good cause will be granted if child care is needed to participate in SNAP E&T activities.
7. The TWC Non-financial Cooperative Agreement template included in the TWC Supplemental Nutrition Assistance Program Employment and Training Guide may be used for workfare agreements. The Workforce Center Operator may develop a local workfare agreement provided all required elements and language are included.
8. Job search hours will be counted as two (2) hours per contact. If at any time TWC guidance regarding job search hours differs from Board policy, TWC guidance will supersede Board policy.
9. Individual Training Accounts (ITA) may be used for providing training services with SNAP E&T funds.
10. Training paid through SNAP E&T may not exceed more than 24 calendar months.
11. One hour of homework time for each hour of class time may be counted, not to exceed the hours required or advised by a particular educational program or as verified by training provider via “Reporting of Participation/Attendance/Wages” sheet.

Section 3: Procedures

Contractor will develop procedures to operate the SNAP E&T program effectively and efficiently within federal, state and board policy and guidelines.

Subchapter 4.6 Choices Program

Section 1: Purpose

The purpose of the policies contained herein are to adhere to Texas Administrative Code, Chapter 811, and to assist individuals receiving Temporary Assistance to Needy Families (TANF) with services designed to aid the family in achieving financial self-sufficiency. If at any time federal or state guidance differs from Board policy, federal and state guidance will supersede Board policy.

Section 2: Delivery of Choices Services

1. Choices service delivery will be provided in compliance with federal TANF regulations, Texas Administrative Code at Chapter 811, applicable TWC WD Letters, and the TWC Choices Guide.
2. Choices services will be provided in accordance with the Texas Workforce Commission (TWC) Choices rules — Chapter 811 of the Texas Administrative Code, TWC's Choices Guide, and all other TWC Choices program guidance, using a work first model to assist customers in accessing the labor market, assisting customers (to include TANF applicants and conditional applicants) with obtaining employment and assisting former TANF recipients with job retention and career advancement. If at any time a conflict exists between federal or state issuances and board policy, federal or state issuances will supersede board policy.
3. Choices services strategies delineated in the Choices Guide are adopted; with local Choices service strategies to include:
 - a. English and Spanish WOAs will be scheduled frequently enough to ensure TANF applicants and conditional applicants have the opportunity to attend within 10 calendar days of the date of a TANF eligibility interview.
 - b. Assessment is on-going and may incorporate a needs assessment and/or interest and aptitude testing to assist with the assessment process
 - c. Each valid job search contact will be counted as one (1) hour of participation.

- d. Job search activities may be combined with job readiness or other appropriate activities as outlined in the family employment plan.
 - e. The Eligible Training Provider Certification System (ETPS) and Individual Training Accounts (ITA) may be used for providing training services with TANF/Choices funds.
 - f. One hour of homework time for each hour of class time may be counted, not to exceed the hours required or advised by a particular educational program. Confirmation of the required or advised number of homework hours must be obtained from the particular educational program prior to counting homework time as Choices participation.
 - g. Subsidized employment is paid at no less than minimum wage, cannot exceed the wage rate the employer pays to employees with similar skills, experience and position, and will not exceed 40 hours per week. Subsidized employment may be subsidized in full or in part and is limited to the equivalent of a threemonth full-time placement per individual customer's participation year. On a case-by-case basis, Workforce Center Contractor management may consider waivers to this limit based upon extenuating circumstances.
 - h. On-the-job (OJT) training will be limited in duration, as appropriate, to the occupation being trained, taking into account the content of the training and prior work experience. Reimbursement of up to 50 percent of the wage rate for an individual for the extraordinary costs for providing OJT and increased supervision related to training is available.
 - i. Employed customers will be made aware of post-employment services and the requirement to report employment hours. Hours will be obtained in a manner that is most convenient to the customer.
 - j. Former TANF recipients may obtain post-employment services for a period of six months after the date of denial of TANF benefits.
 - k. Unless specified within this policy, support services will be provided in accordance with Choices program rules and the Board's support services policy. Individual Development Accounts are not authorized as a support service. Support services as a Choices post-employment service may be provided for up to six months based upon documented need and in accordance with Choices rules.
4. "Higher than Average Barriers to Employment" is defined as two or more of the following barriers:
- a. Basic Skills Deficiency
 - b. Limited English Proficiency
 - c. Lack of secondary school diploma or its equivalent
 - d. Lack of technical and/or professional occupational/vocational skills needed in the current job market
 - e. Lack of significant work history
- Or one or more of the following barriers:
- a. Lack of resources to address issues such as family violence, housing, health (e.g. mental health, substance abuse, or disability), or caring for an individual with special needs
 - b. Having a criminal record or experiencing problems with the criminal justice system.
5. A "timely and reasonable attempt at determining good cause" is defined as:
- Contacting the customer by telephone. If a customer cannot be contacted by telephone when an attempt is made to determine good cause, an appointment letter must be sent. If the customer has a documented preferred method of contact that differs from telephone contact, that method may be utilized in accordance with the Choices Guide.
6. For good cause purposes, "no available transportation and the distance prohibits walking" is defined as a distance of two or more miles, with exceptions based on individual circumstances such as physical limitations, inclement weather, customer accompanied by children.
7. For good cause purposes, "no available job within reasonable commuting distance" is defined as greater than 50 miles one way to and from the work site. Distance is measured from the customer's place of residence.

8. For good cause purposes, "inability to obtain needed child care" is defined as formal or informal child care within a 15-mile radius of work, home or anywhere in between work and home.
9. The *Choices Guide* Notice of the Right to Alternative Services for Choices Individuals is adopted for use with the following definitions applied: "Reasonable period of time" is defined as three business days from the date a customer requests an alternative provider, and "Reasonably accessible" is defined as a distance of 25 miles oneway from the customer's home.

Section 3: Procedures

Contractor will develop procedures to effectively operate the Choices program and implement board policy. Procedures must at least include, but are not limited to:

- a. procedure for learning employer needs, identifying Choices participants who have sufficient skills and abilities to be successfully linked with employment, and matching the skills of the Choices participant pool to the hiring needs of local employers;
- b. procedure for notifying applicants and conditional applicants – in conjunction with HHSC – of the availability of regularly scheduled WOAs and alternative WOAs;
- c. procedure that delineates how staff will notify HHSC of applicants and conditional applicants who contacted a Workforce Solutions Office to request alternative WOAs;
- d. procedure to ensure services are concentrated on Choices-eligibles approaching their state or federal time limit;
- e. procedure for ensuring a timely and reasonable attempt at good cause is made;
- f. procedure for determining if a family is unable to obtain child care;
- g. procedure for post-employment services;
- h. procedure for customer contact and evaluating customer progress towards goals and objectives set forth in the family employment plan; and
- i. procedure for implementing the best practices outlined in the Choices Guide located at B-1109.

Subchapter 4.7 Non-Custodial Parent Choices (NCP) Program

Section 1: Purpose

The purpose of the policies contained herein are designed to align with the Texas Workforce Commission's guidance for operation of the NCP program and to assist NCP customers in their efforts to obtain and retain employment to meet their child support obligations. Should Board policy conflict with TWC issuances, TWC issuances will control.

Section 2: Delivery of NCP Program Services

1. NCP services will be provided in accordance with the Texas Workforce Commission (TWC) *NCP Choices: A Comprehensive Guide*, the TWC NCP Choices TWIST Quick Reference Guide, applicable TWC WD Letters and other TWC issuances.
2. Job search contacts will be counted as two hours per contact.
3. Work experience and community service are time-limited; not to exceed one month. On a case-by-case basis, Workforce Center management may waive the time limit based upon extenuating circumstances.

















4. Subsidized employment is paid at no less than minimum wage, cannot exceed the wage rate the employer pays to employees with similar skills, experience and position, and will not exceed 40 hours per week. Wages may be subsidized in full or in part and is limited to the equivalent of a three-month full-time placement per individual customer's participation year. On a case-by-case basis, Contractor management may consider waivers to this limit based upon extenuating circumstances.
5. Two attempts to reengage the participant will be made prior to submitting a request for closure to OAG.
6. When OAG correspondence closure date differs from COLTS closure date, COLTS exit date will be used when closing TWIST program detail. A case note indicating difference in dates will be entered in TWIST and COLTS system.

Section 3: Procedures

Contractor will develop procedures to effectively and efficiently operate the NCP program within state and board policy and guidelines.

**APPENDIX
TARGET OCCUPATIONAL LIST 2020**

Occupational Title	Growth (Forecast 10 yrs.)	Entry Wages Year 2018	Experience Wages Year 2018
Computer Information Systems			
Software Developers, Applications	37.3%	\$ 29.46	\$ 55.24
Computer Systems Analysts	13.3%	\$ 25.84	\$ 49.09
Network and Computer Systems Administrators	13.2%	\$ 24.38	\$ 38.66
Database Administrators	30.5%	\$ 19.56	\$ 44.22
Computer Network Support Specialists	17.8%	\$ 18.67	\$ 29.61
Computer User Support Specialists	17.5%	\$ 11.46	\$ 22.09
Construction			
Construction Managers	13.9%	\$ 24.30	\$ 46.45
Civil Engineers	13.7%	\$ 20.84	\$ 43.05
Property, Real Estate & Community Assoc. Mgr.	13.4%	\$ 16.50	\$ 34.67
Security and Fire Alarm Systems Installers	24.8%	\$ 16.04	\$ 24.49
Construction and Building Inspectors	16.0%	\$ 15.09	\$ 26.65
Civil Engineering Technicians	12.8%	\$ 14.59	\$ 24.02
Electricians	11.8%	\$ 13.27	\$ 21.86
Heating, Air Conditioning, and Refrigeration Mechanics and Installers	18.1%	\$ 13.11	\$ 21.59
Plumbers, Pipefitters, and Steamfitters	18.0%	\$ 13.07	\$ 23.05
Cement Masons and Concrete Finishers	13.2%	\$ 12.93	\$ 15.86
Culinary			

	Chefs and Head Cooks	21.3%	\$ 16.58	\$ 28.99
	Defense			
	Detectives and Criminal Investigators	10.9%	\$ 30.15	\$ 44.90
	Police and Sheriff's Patrol Officers	17.1%	\$ 20.71	\$ 33.35
	Firefighters	16.6%	\$ 15.46	\$ 25.28
	Police, Fire, and Ambulance Dispatchers	19.4%	\$ 13.47	\$ 19.63
	Education			
	Kindergarten Teachers, Except Special Education	16.5%	\$ 28.61	\$ 37.64
	Secondary School Teachers, Except Special and Career/Technical Education	16.7%	\$ 23.00	\$ 35.61
	Elementary School Teachers, Except Special Ed.	16.5%	\$ 22.60	\$ 34.82
	Special Education Teachers, Secondary School	16.0%	\$ 22.17	\$ 33.20
	Middle School Teachers, Except Special and Career/Technical Education	16.7%	\$ 22.06	\$ 33.78
	Librarians	16.0%	\$ 21.45	\$ 35.69
	Special Education Teachers, Kindergarten and Elementary School	16.1%	\$ 21.18	\$ 32.55
	Educational, Guidance, School, and Vocational Counselors	17.1%	\$ 19.90	\$ 36.25
	Vocational Education Teachers, Postsecondary	10.5%	\$ 16.90	\$ 36.01
	Finance			
	Compliance Officers	11.4%	\$ 23.25	\$ 41.65
	Financial Analysts	18.3%	\$ 22.10	\$ 36.92
	Accountants and Auditors	16.7%	\$ 20.17	\$ 35.03
	Loan Officers	19.2%	\$ 16.86	\$ 40.96

Cost Estimators	13.3%	\$ 13.14	\$ 33.66
Personal Financial Advisors	20.5%	\$ 12.96	\$ 76.29
Insurance Sales Agents	22.8%	\$ 12.74	\$ 28.09
Human Resources			
Human Resources Specialists	13.9%	\$ 15.99	\$ 31.61
Training and Development Specialists	21.2%	\$ 12.58	\$ 31.26
Industrial Manufacturing			
First-Line Supervisors of Mechanics, Installers, and Repairers	15.5%	\$ 18.08	\$ 32.66
Industrial Machinery Mechanics	13.9%	\$ 13.77	\$ 24.02
Maintenance Workers, Machinery	10.8%	\$ 12.29	\$ 20.25
Machinists	13.6%	\$ 11.73	\$ 21.88
Bus & Truck Mechanics & Diesel Engine Specialists	19.2%	\$ 10.56	\$ 21.86
Marketing			
Public Relations Specialists	17.5%	\$ 11.40	\$ 27.13
Medical and Health			
Occupational Therapists	31.6%	\$ 31.29	\$ 49.62
Speech-Language Pathologists	25.8%	\$ 27.18	\$ 42.21
Registered Nurses	21.7%	\$ 26.22	\$ 37.54
Dental Hygienists	25.9%	\$ 23.83	\$ 32.46
Respiratory Therapists	26.5%	\$ 21.80	\$ 28.04
Licensed Practical and Licensed Vocational Nurses	19.8%	\$ 19.18	\$ 24.49
Radiologic Technologists	15.6%	\$ 18.50	\$ 31.96

Rehabilitation Counselors	12.2%	\$ 16.38	\$ 25.80
Surgical Technologists	12.8%	\$ 15.78	\$ 25.81
Physical Therapist Assistants	34.9%	\$ 15.07	\$ 37.63
Healthcare Social Workers	27.4%	\$ 14.61	\$ 27.76
Mental Health Counselors	25.3%	\$ 13.87	\$ 21.33
Medical and Clinical Laboratory Technicians	18.8%	\$ 13.73	\$ 26.79
Medical and Clinical Laboratory Technologists	22.3%	\$ 13.73	\$ 26.79
Medical Records and Health Information Technicians	15.5%	\$ 12.83	\$ 23.52
Child, Family, and School Social Workers	18.9%	\$ 12.75	\$ 26.13
Pharmacy Technicians	19.5%	\$ 12.66	\$ 17.54
Phlebotomists	39.9%	\$ 11.80	\$ 16.60
Transportation and Logistics			
Logisticians	10.5%	\$ 21.48	\$ 40.60
Cargo and Freight Agents	16.2%	\$ 15.26	\$ 28.28
Bus Drivers, Transit and Intercity	17.4%	\$ 12.80	\$ 18.31
Heavy and Tractor-Trailer Truck Drivers (HEO-CDL Combo)	18.3%	\$ 12.80	\$ 26.30
General and Operations Managers	15.5%	\$ 21.75	\$ 64.32
Management Analysts	16.7%	\$ 24.13	\$ 43.40

Hottest Occupations - Top Wage Quartiles and/or (STEM)
Advanced Industries