

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Effective:	Immediately

To: Adult Education and Literacy Grantees
Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers



From: Courtney Arbour, Director, Workforce Development Division

Subject: Texas Workforce Awards

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) and Adult Education and Literacy (AEL) grantees¹ with information on the 2022 Texas Workforce Awards.

BACKGROUND:

The Texas Workforce Commission's (TWC) Chapter 802 Integrity of the Texas Workforce System rules §§802.161–802.169 provide a flexible framework for recognizing and rewarding Boards and AEL grantees that have achieved and exceeded TWC's performance goals in key areas as determined by TWC.

The Workforce Awards align with TWC's mission to promote and support a workforce system that offers employers, individuals, and communities the opportunity to achieve economic prosperity. The awards recognize the efforts made by employers, Boards, AEL grantees, and Vocational Rehabilitation (VR) service providers that help the state achieve workforce development goals. The awards emphasize successful local efforts that benefit specific customer populations, such as veterans, individuals with barriers to employment, at-risk populations, and individuals with disabilities.

On September 28, 2021, TWC's three-member Commission (Commission):

- approved the objective-based monetary and nonmonetary awards described in Attachment 1 of this WD Letter, Workforce Awards—Overview;
- simplified and clarified how corrective actions affect a Board's or AEL grantee's eligibility to receive an award; and
- adopted a definition of "private-sector employer" as it relates to workforce awards.

¹ For purposes of this WD Letter, AEL grantees are TWC grantees that receive AEL funds.

PROCEDURES:

No Local Flexibility (NLF): This rating indicates that Boards and AEL grantees must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards and AEL grantees have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

NLF: Boards must be aware that the Commission has approved the following award categories for exemplary service to Texas workforce system customers:

- Board Awards (data-based)
 - Service to Employers
 - Service to Job Seekers
 - Child Care Employment and Training Connections
 - Vocational Rehabilitation Integration
 - Registered Apprenticeship Expansion
- AEL Performance Quality Improvement (PQI) Awards (data-based)
 - Best in Class
 - AEL Coenrollment
- Nonmonetary Awards (application-based)
 - Large Employer of the Year
 - Small Employer of the Year
 - Veteran-Friendly Employer of the Year
 - Local Employer of Excellence
 - Texas Adult Scholar of the Year
 - All-Star College

NLF: Boards and AEL grantees must be aware that Attachment 1, Workforce Awards—Overview, provides:

- additional information on each of the workforce awards;
- the criteria and weighting for the Board Awards and AEL PQI Awards; and
- monetary award amounts, if any.

NLF: Boards and AEL grantees must be aware that TWC publishes the criteria and nomination forms for all nomination-based awards on TWC’s website in advance of each year’s call for nominations.

NLF: Boards and AEL grantees must be aware that TWC considers the following to be extraordinary circumstances, in addition to the extraordinary circumstances defined in §802.162(3), when determining an entity’s eligibility to receive Workforce Awards:

- Corrective actions taken by TWC, related to:
 - failure to meet relevant performance targets;
 - repeat monitoring findings;

- failure to provide cost-effective services, as evidenced by unusually high average costs; or
- failure to oversee the delivery of services
- A Board's or AEL grantee's voluntary deobligation of funds related to an award or program
- A Board's or AEL grantee's poor programmatic, fiscal, and/or administrative oversight not currently addressed through corrective action

Additionally, under extraordinary circumstances, TWC may decide not to issue an award based on the quality of performance, the quality of the nominations submitted, and/or the number of nominations received.

NLF: Boards must be aware of the parameters related to corrective actions, including Intents to Sanction (ITS) and sanctions that TWC may consider when recommending whether a Board or AEL grantee is eligible to receive awards, as shown in Attachment 2, Texas Workforce Awards—Corrective Actions as Extraordinary Circumstances.

NLF: Boards must be aware that only private-sector employers are eligible for employer awards. A private-sector employer is an employing unit, as defined in Texas Labor Code §201.011(11), including partnerships, associations, corporations, and educational and nonprofit institutions that are not:

- a “political subdivision” under TWC Chapter 821 Texas Payday Rules rule §821.4;
- an individual or entity subject to Titles 2, 3, or 4 of the Texas Government Code; or
- a unit of government of another state, the United States, or a foreign nation.

NLF: AEL grantees must be aware that performance data for AEL grantees that have grants in more than one local workforce development area will be combined when determining performance. TWC will consider a grantee's performance based on changes in the grantee's service delivery area and other factors, as determined by TWC.

NLF: Boards must advise employer award nominees that TWC will conduct a background review of the nominee, including, but not limited to, reviewing the employer's:

- unemployment insurance tax status and delinquency history;
- standing with the Texas Secretary of State and the Texas Office of the Comptroller;
- Texas Payday Law violations and penalties;
- OSHA violations;
- eligibility to receive federal contracts according to the federal System for Award Management database; and
- lawsuits in the Public Access to Court Electronic Records (PACER) system.

INQUIRIES:

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

ATTACHMENTS:

Attachment 1: Workforce Awards—Overview

Attachment 2: Texas Workforce Awards—Corrective Actions as Extraordinary Circumstances

REFERENCES:

Texas Workforce Commission Chapter 802 Integrity of the Texas Workforce System
Rules [§§802.161–802.169](#)
Texas Workforce Commission Chapter 821 Texas Payday Rules §821.4