

## TEXAS WORKFORCE COMMISSION LETTER

<b>ID/No:</b>	WD 21-09
<b>Date:</b>	June 26, 2009
<b>Keyword:</b>	Administration
<b>Effective:</b>	Immediately

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



**From:** Laurence M. Jones, Director, Workforce Development Division

**Subject:** **Mandatory Training on the Impact of Family Violence**

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### **PURPOSE:**

To provide Local Workforce Development Boards (Boards) with information and guidance on:

- training requirements related to the possible effects of family violence on:
  - individuals seeking or receiving financial assistance; and
  - the efforts of those individuals to secure employment; and
- training curriculum developed by the Texas Workforce Commission (Commission) and available to assist Boards in meeting requirements for staff training on family violence issues.

### **BACKGROUND:**

Texas Family Code §71.004 defines family violence as “an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself.”

Texas Human Resources Code §31.0322 requires the Commission to adopt procedures under which financial assistance and related services, including time limits and work activities, can be waived or modified for a victim of family violence. Section 31.0322 also requires that Boards:

- ensure that family violence training is provided for certain staff;
- develop the training in collaboration with at least one organization with expertise in family violence issues; and
- determine if family violence contributed to the failure of an individual receiving financial assistance to comply with work or participation requirements before applying a sanction or penalty.

Commission Choices rule §811.11 (g) (1) (A-C) requires that no less than four hours of training on family violence be provided to staff who:

- provide information to Choices eligibles;
- request penalties or grant good cause; or
- provide employment planning and employment retention services.

Section 811.11 (g) (2) further requires that Choices eligibles identified as being victims of family violence be referred to an individual or agency that specializes in issues involving family violence.

### **PROCEDURES:**

Using existing resources, Boards must ensure the provision of no less than four hours of training relating to family violence to staff that:

**NLF**

- provides information to customers seeking or receiving financial assistance;
- recommends or grants waivers or modifications directly impacting customers;
- recommends or imposes sanctions for noncooperation or noncompliance;
- assesses employment readiness; or
- provides employment planning or employment retention services.

The Commission, in conjunction with family violence experts, has developed a training curriculum on family violence entitled “Family Violence as It Affects Employment.” To schedule this half-day training, contact Training and Development at (512) 463-3029, or e-mail [training.development@twc.state.tx.us](mailto:training.development@twc.state.tx.us).

Boards may use other training curriculum, as long as it meets the requirements in Texas Human Resources Code §31.0322.

**LF**

If other training curriculum is used, Boards must ensure that the development of family violence training takes place in collaboration with at least one organization that has expertise in family violence issues. Training must include information on the following:

**NLF**

- The potential impact of family violence on the safety of an individual seeking or receiving financial assistance and on the ability of that individual to make a successful transition into the workforce.
- State laws and Commission rules on options available to an individual who is receiving financial assistance and for whom family violence poses a danger or impediment to attaining financial independence.
- Resources available from state and local governmental agencies and other entities that can assist a victim of family violence to enter the workforce safely and successfully.

Boards must ensure that:

- before the application of a sanction or penalty based on the failure to cooperate or to comply with work or training requirements, reasonable attempts are made to contact the individual to determine the cause of the failure to comply;
- if it is determined that family violence contributed to an individual's failure to comply, staff trained in family violence issues interviews the individual to identify the types of services necessary to assist the individual in safely and successfully entering the workforce; and
- identified victims of family violence are referred to the appropriate individual or agency specializing in family violence issues.

**INQUIRIES:**

Direct inquiries regarding this WD Letter to [wfpolicy.clarifications@twc.state.tx.us](mailto:wfpolicy.clarifications@twc.state.tx.us).

**RESCISSIONS:**

WD Letter 15-02

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**REFERENCE:**

Texas Human Resources Code, §31.0322

Texas Family Code, §71.004

Texas Workforce Commission Choices Rules: 40 TAC, Chapter 811

**FLEXIBILITY RATINGS:**

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

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