

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 32-03, Change 4
Date:	September 17, 2012
Keyword:	TWIST; WIA
Effective:	Immediately

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



From: Reagan Miller, Director, Workforce Development Division

Subject: **Workforce Investment Act: Updated *Workforce Investment Act Eligibility Guidelines* Desk References**

PURPOSE:

- To provide Local Workforce Development Boards (Boards) with the following:
- Updated information and guidance in the *Workforce Investment Act Eligibility Guidelines* Documentation Log and Selective Service Registration desk references regarding:
 - documentation and verification, specifically, allowable use of Form DD-215 and removal of the Social Security number (SSN) as a criterion of eligibility; and
 - determination of Selective Service System (Selective Service) registration compliance for Workforce Investment Act (WIA) eligibility; and
 - Modifications to The Workforce Information System of Texas (TWIST).

BACKGROUND:

The U.S. Department of Labor Employment and Training Administration's (DOLETA) Training and Employment Guidance Letter (TEGL) 11-11, Change 1, issued January 20, 2012, and entitled "Selective Service Registration Requirements for Employment and Training Administration Funded Programs," clarifies that WIA-funded services must comply with Selective Service registration requirements.

PROCEDURES:

Documentation and Verification

Boards must be aware that:

- all relevant forms have been removed from the *Workforce Investment Act Eligibility Guidelines* and are now included in the Documentation Log Desk Reference;
- the following forms are acceptable as documentation for Selective Service registration compliance:

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- Form DD-214—Report of Separation; or
- Form DD-215—Correction to DD-214, Certificate of Release or Discharge from Active Duty;
- SSNs are not considered basic eligibility criteria. However, when verified, a SSN remains an acceptable source documentation where specified in the Documentation Log Desk Reference; and
- the Documentation Log Desk Reference at www.twc.state.tx.us/boards/wia/txwia.html has been updated to reflect this information.

Determination of Selective Service Registration Compliance for Workforce Investment Act Eligibility

Boards must be aware that:

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- TEGL 11-11, Change 1, provides updated information on determination of Selective Service registration compliance for WIA eligibility, specifically:
 - Selective Service registration requirements;
 - ensuring Selective Service compliance for WIA-funded services; and
 - determination of “knowing and willful”; and
- the Selective Service Registration Desk Reference at www.twc.state.tx.us/boards/wia/txwia.html has been updated to reflect this information.

The desk references are updated online, as necessary. It is recommended that Boards retain the guidelines issued with WD Letter 32-03, “Workforce Investment Act: New Guidelines for Determining Workforce Investment Act Eligibility,” and subsequent updates, and all prior versions of the desk references, for monitoring purposes. Prior versions of eligibility criteria support the eligibility of participants enrolled while the previous eligibility guidelines were in effect.

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TWIST Modifications

Boards must be aware that the following modifications have been made in TWIST to comply with DOLETA requirements:

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- *Selective Service* field on the *Intake – Common* and *WIA Program Detail* screens:
 - 1 – Yes
 - 2 – No (Not selectable)
 - 3 – Refused to Answer (Not selectable)
 - 4 – No – Under 18
 - 5 – No – Born Before 1960
 - 6 – No – Document in File
 - 7 – Veteran

- TWIST code 7 – *Veteran* is for use when an individual served in the Armed Forces between 18 and 26 years of age, but failed to register for Selective Service. When an individual service member did register for Selective Service, code 1 – *Yes* continues to apply.
- *Documentation Tab / Acceptable Documentation Source* dropdown selections for documentation criteria code (4) – *Selective Service* in the TWIST WIA Program Detail have been expanded to include *DD-214, DD-215, Transfer / Discharge / Disability, and Selective Service Registration, Stamped Post Office Receipt.*

NLF

INQUIRIES:

Direct inquiries regarding this WD Letter to wfpolicy.clarifications@twc.state.tx.us.

RESCISSIONS:

WD Letter 32-03, Change 3
Technical Assistance Bulletin 195

REFERENCE:

Workforce Investment Act
U.S. Department of Labor Training and Employment Guidance Letter No. 11-11, Change 1, issued January 20, 2012, and entitled “Selective Service Registration Requirements for Employment and Training Administration Funded Programs”

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.”