

TEXAS WORKFORCE COMMISSION LETTER

ID/No: WD 58-05

Date: August 31, 2005

Keyword: Veterans

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

From:  Luis M. Macias, Director, Workforce Development Division

Subject: **Employment Assistance Programs For Certain Families of Military Personnel**

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information regarding employment assistance programs for certain families of military personnel.

REFERENCE:

Texas Government Code §2308.264 and §2308.266
Senate Bill 212, as passed by the 79th Texas Legislature, Regular Session (to be codified as Texas Labor Code §302.0034)

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. Federal and state laws, rules, policies, and required procedures with a “No Local Flexibility” rating are indicated by the acronym, **NLF**, in the margin to the right of the applicable paragraph. Additionally, all information with a “No Local Flexibility” rating is indicated by “must” or “shall.”

Failure to comply with the federal and state laws, rules, policies, and required procedures with a “No Local Flexibility” rating may result in corrective action, up to and including sanction and penalty.

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 guidance or recommended practices with a “Local Flexibility” rating are indicated by the acronym, **LF**, located in the margin to the right of the applicable paragraph. Additionally, guidance or recommended practices with a “Local Flexibility” rating are indicated by “may” or “recommend.”

Boards are not subject to corrective action for failure to comply with guidance or recommended practices with a “Local Flexibility” rating.

BACKGROUND:

The 79th Texas Legislature, Regular Session, enacted Senate Bill (SB) 212, which requires that employment assistance services be provided to the spouses and dependents of military personnel who are assigned to duty in the state. Basic labor exchange services are currently available to all individuals, including spouses and dependents of military personnel.

“Assigned to duty in the state” indicates that a military service member is assigned to a permanent duty station in the state of Texas; however, the service member may be deployed outside of the state.

SB 212 also allows Boards to accept or apply for gifts, grants, and donations to fund these employment services.

PROCEDURES:

Employment Assistance Programs for Spouses and Dependents

Effective September 1, 2005, Boards must ensure that the spouses and dependents of military personnel who are assigned to duty in the state are provided employment assistance, including job placement and other employment-related services, they may qualify for.

NLF

Boards must ensure that these individuals meet eligibility criteria prior to being served by a program.

NLF

Example: A military service member’s spouse requests training provided through the Workforce Investment Act (WIA). During the intake process, Texas Workforce Center staff determines that the spouse is not eligible for WIA. Because the spouse is not eligible for WIA, this service cannot be provided with WIA funds.

Funding Special Employment Assistance Programs for Spouses and Dependents

Boards may accept and apply for gifts, grants, donations, and appropriations from public and private sources to fund employment assistance programs for spouses and dependents of military personnel who are assigned to duty in the state.

LF

Boards must adhere to the provisions set forth in Texas Government Code §2308.264, regarding the contracting of services, and §2308.266, concerning the Boards’ ability to solicit funds.

NLF

ACTIONS REQUIRED:

Boards must ensure that appropriate staff is apprised of and complies with the requirements in this WD Letter.

INQUIRIES:

Direct inquiries regarding this WD Letter to the assigned contract manager for your local workforce development area.

Rescissions: None	Expiration: Continuing
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