# PART C, CHAPTER 12.2.b: WORK ADJUSTMENT TRAINING SERVICES

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part C, Chapter 12.2.b | 34 CFR [§361.48(b)(12)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(12)), and TWC Rule [§856.49](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=40&pt=20&ch=856&rl=49) | All TWC-VR staff | 9/3/2024 |

## PURPOSE

In accordance with the authority (Federal and State) listed above, this policy is issued by the Texas Workforce Commission Vocational Rehabilitation Division (TWC-VR). Adherence to these rules and regulations issued under the Rehabilitation Act of 1973, as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA), supports Texans with disabilities in gaining, maintaining, and advancing in competitive integrated employment (CIE).

Specifically, the purpose of this policy and these procedures is to ensure adherence to the provision of Work Adjustment Training services.

## DEFINITIONS

Bilateral Contractor: A service contractor that agrees to specific duties or deliverables under the terms of a contract with TWC-VR.

Informed Choice: The means by which a customer chooses their rehabilitation path, from options based on their needs and circumstances and the TWC-VR rules, as it relates to choosing work readiness services and the providers of those services.

Trial Work Experience (TWE): Exploration of an individual's abilities, capabilities, and capacity to perform in realistic work situations in order to determine whether or not there is clear and convincing evidence to support a determination that an individual with a disability is incapable of benefiting from VR services in terms of an employment outcome.

## POLICY

### General Overview

Work Adjustment Training (WAT) Services are designed to evaluate the customer's work behaviors and interpersonal skills and to enhance those skills while they perform competitive integrated employment (CIE) in a structured environment.

WAT Services include both evaluation and training.

### WAT Parameters

WAT Services are used to prepare a customer for CIE and—

* Are purchased from a bilateral contractor;
* May be purchased with the Personal Social Adjustment Training (PSAT) when different goals are addressed;
* Must be provided in a work setting where the customer's work produces compensation for both the provider's business and the customer;
* Cannot be provided remotely;
* Are to be provided without exceeding the ratio of one staff member to no more than six customers without an aide or one trainer and one aide to no more than 10 customers
* Require a WAT evaluation to identify the goals to be addressed in the WAT for students, youth, and adult customers;
* Can be used to reinforce appropriate behaviors and valuable skills with which the customer previously struggled;
* Are a goal-directed services with the *Personal Social Adjustment and Work Adjustment Training Plan (VR3137B)* being updated in a meeting that can be held remotely with the VR Counselor and the customer every 28 days prior to additional hours being authorized; and
* Must be offered by the provider with a minimum of 25 hours per week. If a holiday or business closure occurs, the minimum number of hours may be adjusted. However, TWC-VR does not pay for over 25 hours per week.

WAT evaluation can only be purchased once for the life of a customer’s case.

### Standards for Providers (SFP)

The SFP manual focuses on the business practices, processes, and policies that TWC-VR and the contracted provider must follow. This VRSM chapter includes services that are provided by a contractor. For additional information regarding contractor responsibilities, service descriptions and costs, please refer to the SFP Chapter 13: Work Readiness Services.

### Additional Policy Considerations

* Comparable Services and Benefits: WAT services are exempt from the requirement to secure comparable services and benefits prior to TWC-VR expending funds.
* Customer Participation in the Cost of Services: WAT services are exempt from applying Basic Living Requirements (BLR) and, therefore, the customer is not required to participate in the cost of services.
* Recipients of Social Security Disability Benefits: Recipients of Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI), due to the customer’s disability, are exempt from the requirement to participate in the cost of TWC-VR services regardless of income.
* Exceptions to Policy: When necessary to meet the VR needs of a customer, TWC-VR staff members may request exceptions to policies and procedures through their chain of management up to the Deputy Division Director of Field Services Delivery, or designee. However, exceptions to policies and procedures based on Federal and State laws, statutes, and rules or regulations are not allowable.

## PROCEDURES

### Determining the Need for WAT Services

WAT Services are provided to a customer when they need a structured environment to address unacceptable work behaviors, vocational barriers, interpersonal skills, or to improve their skills and abilities to successfully obtain and maintain CIE.

### WAT Referral and Service Provision

When the VR Counselor and customer agree to the receipt of WAT Services, they must be included in the Individualized Plan for Employment (IPE), TWE plan, IPE amendment, or a Service Justification for potentially eligible students with disabilities.

The VR Counselor—

* Complete *Referral for Personal Social Adjustment Training and Work Adjustment Training (VR3121)*, including the skills to be evaluated and trained;
* Provide documentation (only when relevant), such as medical or psychological reports, case notes, vocational testing, or employment data collected by TWC-VR staff;
* Ensure TWC-VR staff send the service authorization (SA) for the evaluation;
* Assist the WAT Trainer in the completion of the customer’s *Personal Social Adjustment Training and Work Adjustment Training Plan (3137B)*, after the evaluation, and signing the plan (occurs every 28 days);
* Ensure TWC-VR staff send the SA for the training after the *3132B* is established and updated every 28 days;
* Monitor the customer's progress;
* Provide any needed instruction or intervention necessary to foster the customer's success;
* Review and approve—
  + For WAT Evaluation, the *Personal Social Adjustment Training (PSAT) and Work Adjustment Training (WAT) Evaluation (VR3137A)* and *VR3137B*;
  + For WAT (training), the *Personal Social Adjustment Training and Work Adjustment Report (VR3138)* and *VR3137B*.
* Ensure the invoices are paid.

The contractor—

* For WAT Evaluation: Documents all information required by the Service Description on the *VR3137A* and *VR3137B* at the end of the evaluation period demonstrating evidence that—
  + Attendance was recorded and includes the number of hours the customer participated in the evaluation;
  + The evaluation was provided without exceeding the ratio of one staff to no more than six customers without an aide or one trainer and one aide to no more than 10 customers;
  + All necessary accommodations and compensatory techniques were provided, and special needs were met for the customer to participate successfully in the evaluation;
  + The customer's performance, skills, and needs were evaluated and results summarized;
  + The goals and objectives are measurable and established for all skills to be addressed;
  + A projected achievement date has been set for each goal and objectives; and
  + A projected number of training hours has been established for each goal and objectives.
* For WAT Training: Documents, at a minimum of every 28 days, documents all information required on the *Personal Social Adjustment and Work Adjustment Report (VR3138)* and SA, including evidence that—
  + The training was provided without exceeding the ratio of one staff member to no more than six customers without an aide or one trainer and one aide to no more than 10 customers;
  + The customer's attendance and the total number of hours the customer participated in the training were recorded;
  + Goals and objectives addressed in training are recorded on the *VR3138* and are included on the most recently approved *VR3137B*;
  + The customer's performance and skills were documented for the reporting period;
  + The status, including a narrative description for each goal and objective, is recorded on the most recently approved *VR3138*;
  + All necessary accommodations and compensatory techniques were identified, documented, and provided as necessary to meet the special needs of the customer to successfully participate in the training;
  + Communications made with the VR Counselor and the customer, and notation of any updates made to the *VR3137B*, are documented in the Additional Comments section; and
  + A projected number of training hours has been established for each goal and objectives.

### Customer's Satisfaction

The customer's satisfaction and service delivery is verified by the customer's signature on the *VR3137A*, *VR3137B*, or *VR3138* by TWC-VR staff member’s contact with the customer, documented in a case note.

### WAT Services

Payment for WAT Services is made to the contractor when the VR Counselor approves a complete, accurate, signed, and dated—

* WAT Evaluation:
  + *VR3137A;*
  + *VR3137B*; and
  + invoice.
* WAT Training:
  + *VR3138;*
  + *VR3137B;* and
  + invoice.

TWC-VR will not pay any fees related to excused absences, unexcused absences, or holidays.

## APPROVALS & CONSULTATIONS

TWC-VR staff must follow the following approvals and consultations:

* *VR Director approval is required for any request to change requirements for Work Adjustment Training services, using the Contracted Service Modification Request form (VR3472) prior to changes being implemented.*

**REVIEW**

The Policy Planning and Statewide Initiatives Team, or designee, is responsible for reviewing this policy and these procedures and will update the Document History log if necessary.

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| **Date** | **Type** | **Change Description** |
| 9/3/2024 | New | VRSM Policy and Procedure Rewrite |