# PART C, CHAPTER 12.3.c: WAGE SERVICES

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| **Policy Number** | **Authority** | **Scope** | **Effective Date** |
| Part C, Chapter 12.3.c | 34 CFR [§361.48(b)(21)](https://www.ecfr.gov/current/title-34/part-361#p-361.48(b)(21)) | 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 Wage services needed when participating in work experiences.

## DEFINITIONS

Informed Choice: The means by which a customer chooses their rehabilitation path, from options based on their needs and circumstances and the VR program's rules, as it relates to work experiences either paid or unpaid.

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

Wage services allow TWC-VR to pay customers wages when participating in Work Experience services. Wage services are available for students (including potentially eligible), youth, adults, and customers receiving TWE.

Wage Services, paid with TWC-VR funds, includes the following:

* The cost associated with onboarding a VR customer to become an employee;
* The customer/employee’s gross earnings;
* The cost of the customer/employee’s worker’s compensation insurance coverage; and
* Costs associated with payroll processing, payroll reporting, and other payroll processing functions.

Wage services can be provided for multiple work experiences for the same customer when necessary to meet the customer's goals. However, Wage services are not provided for a customer to be placed in the same position at the same worksite.

### Additional Policy Considerations

* Comparable Services and Benefits: TWC-VR must not expend funds on Wage services unless the VR counselor and the customer have made maximum efforts to secure comparable services and benefits from other sources to pay for services.
* Customer Participation in the Cost of Services: A customer's eligibility for TWC-VR services does not depend on the customer's income or liquid assets; however, if the customer's net income or liquid assets exceed the Basic Living Requirements (BLR), the customer must participate in the cost of services unless an exception is granted.
* 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 Wage Services

When a customer has been placed in a work experience with a business, through Work Experience services, Business Relation Team (BRT), Paid Work Experience (PWE) or Summer Earn & Learn (SEAL), the VR Counselor must determine if it will be paid or unpaid work experience and if the worksite intends to pay the customer.

### IPE Requirements

When it has been determined that TWC-VR will provide wage services, it must be included in the Individualized Plan for Employment (IPE), IPE Amendment, TWE Plan or a service justification for potential eligible students. The IPE must list the provider as WorkQuest, the length of the paid work experience (no longer than 12 weeks), and the number of hours to be worked (not greater than 360 hours or 30 hours a week).

### Wage Services for Students with Disabilities (SWD)

SWD, including those who are potentially eligible SWD, may receive Wage services through WorkQuest when a Workforce Development Board (WDB) does not provide Wage services. These services may be provided using Pre-Employment Transition Services (Pre-ETS) funds as long as they meet the requirements.

When SWD are participating in paid work experience and WIOA Title I programs (e.g., Youth Program) and Wage services are available, TWC-VR staff must ensure the services provided are complimentary and not duplicative. The VR Counselor must document both sets of services in the customer's IPE, as applicable, and in case notes describing which services are purchased and which are arranged through a comparable benefit (e.g., Title I Youth Program).

### Referral for Wage Services

The VR Counselor must complete the *Referral for Wage Services-WorkQuest (VR3141).*

The VR Counselor must submit an encrypted email to U and I Spread the Light using the email [djones@uandispreadthelight.com](mailto:djones@uandispreadthelight.com). The encrypted email must include the following:

* The TWC SA #xxxxxxx in the subject line;
* An attached Service Authorization (SA),
* An attached *VR3141;* and
* A copy of the signed *Worksite Agreement for Wage Services (VR3142).*

The following are WorkQuest’s responsibilities in wage services—

* Being the employer of record for the customer;
* Onboarding the customer as an employee of U and I Spread the Light and completing tasks such as I-9 verification;
* Coordinating and collecting payroll documentation from the customer’s work experience worksite entity;
* Accurately processing a bimonthly paycheck, unless a different frequency is agreed to in writing by TWC-VR and WorkQuest;
* Making direct deposits or deposits to a pay card that include a pay stub on the pay date;
* Providing W-2 forms in accordance with Internal Revenue Service (IRS) requirements;
* Preparing supplemental payroll to correct errors in pay when necessary and applicable;
* Notifying the VR Counselor of any worker’s compensation claims made by or on behalf of customers; and
* Notifying the VR Counselor of worksite incidents involving injury, property damage, or behavioral issues that result in termination of a customer’s placement at the worksite, as soon as possible, but not later than 48 hours after the incident.

The following are the VR Counselor's responsibilities after Worksite Onboarding:

* Informing the worksite and the customer/employee the customer’s start and end date (Customer can begin working the hours outlined on the *VR3141,* which cannot be more than 12 weeks for a total of 360 hours.);
* Monitoring the work experience placement/training program every two weeks by—
  + Contacting the worksite a minimum of one time each pay period (every two weeks) to address any needs or concerns shared by the Worksite Supervisor or Worksite Point of Contact regarding the customer’s performance at the worksite or performance of an Employment Services Provider providing Work Experience Training; and
  + Contacting the customer/employee to provide counseling and guidance to the customer gaining information on—
    - The positive/negative aspects of the work experience placement/ training program;
    - Number of hours work by customer/employee;
    - What skills the customer/employee has or is learning;
    - Any barriers/issues that may need to be address; and
  + Reminding both the worksite and the customer/employee of the end date of the work experience placement/training program which will be the end of the wage services.

### Determining the Wage and Associated Cost for Work Services

TWC-VR Work Experience Placements (WEP) are classified into three levels (i.e., Entry, Intermediate, Advanced) using O\*NET's [My Next Move Job Zones](file:///C:/Users/Rachel%20Anderson/Dropbox/Family%20Room/TX/Phase%202/2.%20VRSM%20Rewrite%20(Our%20Working%20Drafts)/Part%20C%20VR%20Services/16.%20Support%20Services/My%20Next%20Move%20Job%20Zones).

The VR Counselor must identify the six-digit Standard Occupational Classification (SOC) code that represents the position for which the customer will be fulfilling in the WEP and enter that code into My Next Move to identify the position's Job Zone. The Job Zone level identifies the customer's gross income and WorkQuest corresponding bill rate when wage services are purchased for a customer, as supplied by the Bureau of Labor Statistics (BLS) data. WorkQuest bill rates are considered "fully-loaded" with all applicable taxes, insurance, and fees included.

The net pay the customer will receive varies based on the customer's W-4 information.

*Entry Level: Includes O\*Nets' My Next Move Job Zones One and Two*

* Purpose:
  + Determine if customer is ready for competitive integrated employment;
  + Explore possible career options for customer; and
  + Develop skills to increase a customer's employability.
* Knowledge, experience, responsibilities and level of supervision of a customer:
  + Little or no previous work-related skill, knowledge, or experience;
  + May have some transferable skills, basic knowledge from experience;
  + Knowledge of the tasks, duties and responsibilities related to position;
  + Follows standard procedures and written instructions to accomplish assigned tasks;
  + Work is routine, and tasks are standardized; and
  + Works under direct supervision.
  + Education and training of the customer may require a high school diploma or GED certificate;
  + The associated gross wage is $10.90 per hour; and
  + WorkQuest bill rate per hour is $19.96.

Examples of positions classified as entry level include, but are not limited to, the following:

* Baristas
* Cooks/ Food preparations / Food Servers
* Counter attendants
* Customer services representatives/ Order Clerk/ Receptionist/ Information Clerk
* Data Entry/Word Processor
* Floral Designer
* Helpers for carpenters. electricians, installers, mason
* Home Health Aides/ Personal Care Aides/ Nursing Assistant/ Physical Therapy Assistant
* Janitors/Cleaners/ House Keeper/ Maid
* Landscapers/ Ground Keepers
* Nursery Worker/ Nanny/ Child Care Worker
* Office Clerk/ File Clerks/ Mail Clerk
* Painter/ Construction/ Maintenance Worker
* Parking Attendant/ Security Guard
* Reservation/ Ticket agent
* Stock Clerks
* Telemarketers
* Waiters/ Waitresses

*Intermediate Level: Includes O\*Nets' My Next Move Job Zone Three*

* Purpose:
  + Demonstrate skills and gain experience applicable to potential vocational or associates degree trainings; and
  + Evaluate if the customer still has capacity to continue to work in a field due to acquired vocational barrier(s).
* Knowledge, experience, responsibilities and level of supervision of a customer:
  + Previous work-related skill, knowledge, or experience (completion of training program);
  + Demonstrates and applies the fundamental concepts, practices and procedures of field of specialization;
  + Performs work that is varied and may be somewhat difficult; and
  + Performs work under minimum supervision that is somewhat difficult and requires limited responsibility.
* Education and training the customer may be required to complete:
  + An apprenticeship; or
  + One or two years of vocational training (certificate program or on the job training) or associate degree.
  + The associated gross wage is $13.92 per hour, and
* WorkQuest bill rate per hour is $24.74.

Examples of positions classified as intermediate level include, but are not limited to, the following:

* Auto mechanic-certified
* Book Keeping/Accounting/Audit Clerk
* Computer Operators
* Construction and Building Inspectors
* Court Reporters
* Dental Assistant/Hygienist
* Desktop Publishing
* Electrician
* Emergency Medical Technician
* Fire Inspector
* Fitness Trainer/Aerobics Instructor
* Hairdresser/Hairstylist/Cosmetologist/Barber
* Human Recourse Assistant
* Insurance Claims Clerk
* Licensed Vocational Nurse
* Manufacturing Production Technician
* Medical/Clinical Lab Technician
* Medical/Legal Secretaries
* Medical Assistant
* Surveying Technicians
* Tailors/Dress maker/Custom Sewers
* Teacher Assistant/ Preschool Teacher
* Occupational Therapy/Physical Therapy Assistant
* Plumbers
* Police Officer
* Veterinary Assistant
* Welder

*Advanced Level: Includes O\*Nets' My Next Move Job Zone Four*

* Purpose:
  + Demonstrate skills and to gain experience related to the degree; and
  + Evaluates if the customer still has capacity to continue to work in a field due to acquired vocational barriers.
* Knowledge, experience, responsibilities and level of supervision of a customer:
  + Works with general supervision;
  + Possesses and applies a broad knowledge of principles, practices, and procedures of particular field of specialization to the completion of difficult assignments;
  + Work responsibilities maybe board in nature; and
  + Competent in skills and may assist or teach others.
* Education and training the customer may be required to complete a four-year bachelor's degree or higher degree.
* The associated gross wage is $20.32 per hour, and
* WorkQuest bill rate per hour is $34.83

Examples of positions classified as advance level include, but are not limited to, the following:

* Adult Basic/ Secondary Education/ Special Education/Literacy Teachers and Instructors
* Advertising Agent
* Automotive/Bio Chemical/ Chemical/ Civil Engineers
* Budget Analysts
* Clinical Data Manager
* Construction Manager
* Database Administrator/Architect
* Editors
* Logisticians
* Manufacturing Engineers
* Museum Technicians & conservators
* Park Naturalist
* Patient Representative
* Program Directors
* Public Relations/Fundraising Manager
* General/Operational Manager
* Human Resource Specialists/Manager
* Insurance Sale Agent
* Landscape Architect
* Real Estate Broker
* Occupational/ Physical/Recreational/Music Therapist
* Sale Representative Wholesale/Manufacturing
* Sales Manager
* Software Developers
* Storage/Distribution Manager
* Training and Development Specialist/Manager

Refer to [O\*NET](https://www.onetonline.org/find/zone) for a complete list of entry, intermediate, and advanced positions.

### SA Adjustment

When a customer works over the number of hours on an SA, starts work before the start date of an SA, or works after the end date of an SA, TWC-VR is required to compensate WorkQuest so they can pay the customer; therefore, the SA will require adjustment.

## APPROVALS & CONSULTATIONS

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

* *VR Supervisor approval is required when utilizing WorkQuest in lieu of a Workforce Development Board (WDB) for the wage services for SWD when they are available.*
* *VR Supervisor approval is NOT required when the WDB does not provide wage services.*
* *VR Supervisor approval is required when a single work experience must exceed 12 weeks to meet the individualized needs of the customer.*

**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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