

1 **Chapter 802 Integrity of the Texas Workforce System**
2 **Workforce Awards and Local Workforce Development Area Appeals**
3 **Policy Concept**

4 **Background**

5 Texas Workforce Commission (TWC) Chapter 802 Integrity of the Texas Workforce System
6 rules, Subchapter I, allow TWC's three-member Commission (Commission) to establish
7 monetary and nonmonetary awards to encourage and recognize the work of Local Workforce
8 Development Boards (Boards) and Adult Education and Literacy (AEL) grant recipients.

9 The rules in their current form have been in place since February 2011, except for amendments
10 adopted in February 2014, which allow awards to be given to AEL grant recipients when the
11 AEL program was transferred from the Texas Education Agency to TWC in 2013. In 2014,
12 Congress repealed the Workforce Investment Act (WIA) and replaced it with the Workforce
13 Innovation and Opportunity Act (WIOA). In 2016, the Texas legislature dissolved the Texas
14 Department of Assistive and Rehabilitative Services and transferred its workforce-related
15 programs to TWC, thus creating TWC's Vocational Rehabilitation Division. These changes are
16 just a few examples of how much the Texas workforce system has evolved over the past decade
17 and continues to evolve. The awards process has also evolved to ensure its relevance in
18 encouraging, recognizing, and rewarding workforce system partners for their success in a
19 dynamic and ever-changing environment.

20 Staff has reviewed the current awards rules and identified opportunities to ensure that they reflect
21 current practices, describe opportunities for WIOA programs administered by TWC and other
22 workforce system partners to be recognized for innovations in addressing workforce needs, and
23 provide the Commission flexibility to adapt as the Texas workforce system continues to advance
24 in meeting its customers' needs.

25 **Issue 1: Scope and Purpose**

26 The scope and purpose of Chapter 802, Subchapter I, identifies only Boards and AEL grant
27 recipients as the entities eligible to receive awards. Language throughout the subchapter
28 references WIA, denotes prescriptive awards criteria for outdated awards, and defines outdated
29 terms no longer relevant to workforce awards.

30 Staff has identified the need to amend the rules in Subchapter I to:

- 31 • specify that the Commission approves all awards and monetary amounts;
- 32 • include all workforce system partners for potential eligibility to receive awards and
33 recognition as determined by the Commission;
- 34 • clarify that awards may be issued based on data, written application, nomination, or a
35 combination thereof;
- 36 • specify that TWC shall publicly notify and provide details to Boards and AEL grant
37 recipients relating to the current year's awards criteria, awards deadlines, and the way awards
38 information may be submitted to TWC for consideration; and
- 39 • make technical edits to update references from WIA to WIOA and to align rule language to
40 match current awards processes.

1 **Issue 2: New Subchapter**

2 In a separate rulemaking, staff proposes repealing TWC Chapter 841 Workforce Investment Act
3 rules and amending Chapter 802 to include the provisions of Chapter 841, Subchapter E, State
4 Level Hearing, relating to Local Workforce Development Area certification.

5 **Decision Points**

6 Staff seeks direction on:

- 7 • updating Chapter 802, Subchapter I, to reflect the current state of TWC programs and the
8 workforce system, streamline language, provide the Commission with flexibility in awarding
9 new types of awards that support the workforce system, and remove outdated language and
10 references; and
11 • amending Chapter 802 by adding Subchapter J, Local Workforce Development Area
12 Appeals.