

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 24-11
Date:	July 29, 2011
Keyword:	All Programs
Effective:	Immediately

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



From: Laurence M. Jones, Director, Workforce Development Division

Subject: **Reporting Negative Incidents Involving Texas Workforce System Customers—*Update***

PURPOSE:

To provide Local Workforce Development Boards (Boards) with information and guidance on reporting negative incidents involving Texas workforce system customers, specifically:

- examples of negative incidents; and
- requirements for reporting negative incidents.

This WD Letter updates the time frame for reporting negative incidents to the Texas Workforce Commission's (Commission) Office of Investigations (OI).

CHANGES TO WD LETTER 39-10:

New information in this WD Letter is indicated by:

- A strikethrough of the original language, which indicates that language has been deleted; and
- **Bold** typeface, which indicates new or clarifying language.

BACKGROUND:

In March 2010, the U.S. Department of Labor Employment and Training Administration completed a review of American Recovery and Reinvestment Act of 2009 funding received by the Commission for use in providing Workforce Investment Act and Wagner-Peyser Employment Service activities. The review noted the need to provide Boards with guidance on a formal process for reporting negative incidents.

PROCEDURES:

Boards must ensure that all negative incidents involving Texas workforce system customers are reported to OI within ~~24 hours~~ **three business days** of the occurrence.

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Examples of Negative Incidents

Boards must be aware that negative incidents include, but are not limited to, the following:

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- Any incident that causes death or injury;
- Physical assault;
- Property crimes such as vandalism or theft;
- Events requiring police involvement;
- Inappropriate sexual behavior; and
- Any incident that results in negative media attention.

Reporting Negative Incidents

Boards must ensure that, within ~~24 hours~~ **three business days** of the occurrence of a negative incident, appropriate staff:

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- reports the incident using OI's RID-34, Participant Incident Report, available on the Intranet¹ at https://intra.twc.state.tx.us/intranet/gl/html/general_forms.html (RID-34i, Participant Incident Report Form Instructions, is also available);
- provides any relevant documentation; and
- sends the RID-34 and relevant documentation by fax to (512) 936-3280 or e-mail to Incidentreports.oi@twc.state.tx.us.

If the RID-34 and relevant documentation are e-mailed, Boards must ensure that:

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- the e-mail is encrypted; and
- the subject line contains the Board name, type of report, and incident date— e.g., *Gulf Coast – Participant Incident Report (mm/dd/yy)*.

Additionally, Boards must submit updated information on a negative incident as it becomes available. This includes media material not available at the time of the first report and any materials submitted later by individuals involved in or having information about the incident.

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If a negative incident is considered urgent, or will likely appear in the media, Boards must ensure that appropriate staff:

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- **immediately informs OI at (512) 463-2393 of the occurrence; and**
- **sends the RID-34 to OI by fax or e-mail within three business days.**

INQUIRIES:

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

¹ *The Intranet is not available to the general public.*

RESCISSIONS:

WD Letter 39-10

REFERENCE:

American Recovery and Reinvestment Act of 2009 (Public Law 111-5)

Wagner-Peyser Act of 1933, as amended

Workforce Investment Act of 1998 (Public Law 105-220)

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.”