

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

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Date:	September 24, 2026
Keyword:	RESEA, UI
Effective:	Immediately

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

From:  Mary York, Director, Workforce Development Division

Subject: **Unemployment Insurance Weekly Work Search Contact Requirements—Update**

PURPOSE:

The purpose of this Workforce Development (WD) Letter is to provide Local Workforce Development Boards (Boards) with guidance on establishing and submitting the required number of weekly work search contacts by county for unemployment insurance (UI) claimants.

This updated letter provides clarifications regarding the newly established minimum work search contacts per week, as well as updated resources to guide Boards in establishing this requirement.

RESCISSION:

WD Letter 01-12, Change 1

BACKGROUND:

The Wagner-Peyser Act requires that the state unemployment compensation system administer work test requirements. The work test includes a determination that a UI claimant is able, available, and actively seeking work.

Texas Labor Code §207.021 requires UI claimants to register for work, demonstrate the ability to work, and be available for work. Additionally, Title 40, Texas Administrative Code (TAC), Chapter 815, Unemployment Insurance, §815.28 requires UI claimants to actively seek suitable work.

On July 21, 2026, TWC's three-member Commission approved changes to 40 TAC §815.28(c) that require UI claimants in non-rural counties to make a minimum of five work search contacts per week to demonstrate they are actively seeking work. These changes were effective August 10, 2026.

PROCEDURES:

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.”

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.”

NLF: Boards must:

- develop, adopt, and modify local policies¹ that include the appropriate methodology for formulating the required number of work search contacts for their local workforce development area (workforce area); and
- maintain written copies of the policies as required by federal and state law and as directed by TWC.

NLF: Boards must set the required minimum number of weekly work search contacts for their workforce area, using the guidelines provided in 40 TAC §815.28(c)–(g).

NLF: Boards must:

- conduct an annual review of the minimum number of weekly work search contacts for each county; and
- submit the following information to TWC’s [Workforce Program Policy department](#) no later than March 31 of each calendar year:
 - The number of required weekly work search contacts by county
 - The Board’s methodology for formulating the number of required weekly work search contacts by county

LF: Boards may adjust the number of required weekly work search contacts to a number equal to or above the required minimum at any time as local labor market information and conditions warrant.

NLF: If the Board adjusts the number of required weekly work search contacts, it must provide written notification of the changes to the [Workforce Program Policy department](#) no later than two weeks after adoption of the policy by the Board.

LF: For the purposes of 40 TAC §815.28(f), Boards may consider the factors constituting appropriate guidelines described in the following table when evaluating the number of work search contacts required of UI claimants.

¹ As required by TAC Chapter 802, Integrity of the Texas Workforce System, §802.1(f), Board members must take such actions in an open meeting.

Guidelines for Determining the Number of Work Search Contacts

FACTORS	SOURCE	DATA
Number of relevant employment opportunities	• Job postings • WorkInTexas.com • Monthly Help Wanted Online (HWOL) • Supply reports • Demand reports • Gap analysis reports	Number of vacancies listed; number of vacancies compared to supply
Volume of claimants	• Unemployment Claims by Numbers web page	Number of claimants receiving UI benefits and seeking employment
Economic diversification/ occupational categories	• Industry profiles • Regional occupation profiles • Supply reports • Staffing patterns	Distribution of employment across major industry sectors (private wage-salary workers, government workers, and so on)
Location and size of businesses	• Industry profiles • Workforce Development Area (WDA) profiles • Employer contact information	Location, size, and type of business; North American Industry Classification System (NAICS) code; number of employees
Job growth and decline	• Industry profiles • Current Employment Statistics (CES) • Projections	Target industries; future employment opportunities
Percentage of individuals employed outside the county	• Local tool, if applicable	Number of individuals who reside in the county but work elsewhere (different county, state, and so on) compared to individuals who live and work in the county
Work search requirements in neighboring counties	• Required Number of Work Search Activities by County web page	Number of weekly work search contacts required for each county
Civilian labor force; employment and unemployment estimates by city	• Local Area Unemployment Statistics (LAUS) • Quarterly Census of Employment and Wages (QCEW) • Unemployment rates by county	Number of individuals working or seeking work who are at least 16 years old and eligible to work in the United States

FACTORS	SOURCE	DATA
County population estimates	• Texas Demographic Center	Rural counties with an estimated population of no more than 10,000
Population growth trends	• WDA profiles • Supply reports • County Population Totals 2020–2025 web page	Individuals moving into or out of the area
Commuting distance for rural residents/ public transportation	• Local knowledge • American Community Survey (ACS) 5-Year Commuting Flows	Cost of travel, gas prices, and so on; number of commuters from county of residence to county of employment

The data is available on the following websites:

- [Monthly Help Wanted Online \(HWOL\)](#)
- [Required Number of Work Search Activities by County](#)
The chart lists the number of weekly work search contacts currently required for each county to help Boards assess the consistency of work search requirements in neighboring counties.
- [Texas Labor Market Information \(LMI\)](#)
 - [Current Employment Statistics \(CES\)](#)
 - [Industry Profiles](#)
 - [Local Area Unemployment Statistics \(LAUS\)](#)
 - [Metropolitan Statistical Area \(MSA\) Profiles](#)
 - [Occupational Employment & Wage Statistics \(OEWS\)](#)
 - [Projections](#)
 - [Quarterly Census of Employment and Wages \(QCEW\)](#)
 - [Unemployment Rates by County](#)
 - [Workforce Development Area \(WDA\) Profiles](#)
 - [Staffing Patterns](#)
- [Texas Labor Analysis](#)
 - [Demand reports](#)
 - [Gap Analysis reports](#)
 - [Regional Occupation Profiles](#)
 - [Supply reports](#)
- [Texas Demographic Center](#)
- [Unemployment Claims by Numbers](#)
- [United States Census Bureau](#)
 - [Explore Census Data](#)
 - [American Community Survey](#)
 - [ACS 5-Year Commuting Flow](#)
 - [County Population Totals: 2020–2025](#)
- [WorkInTexas.com](#)

For additional information on:

- work search contact requirements, see [40 TAC §815.28](#); and
- service delivery, see the [Employment Service Guide](#) and [Reemployment Services and Eligibility Assessment Program Guide](#).

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicy.clarifications@twc.texas.gov.

ATTACHMENTS:

Attachment 1: Revisions to WD Letter 01-12, Change 1, Shown in Track Changes

REFERENCES:

Wagner-Peyser Act of 1933, as amended
20 CFR, Chapter V, Parts 651–652, Employment Service Operations
Social Security Act, Titles III and IX
Texas Labor Code §207.021(a)(8)
Title 40, Texas Administrative Code, Chapter 815, Unemployment Insurance