# VR Board Requirements Manual, Chapter 2: Paid Work Experience

Revisions effective September 15, 2020

## 2.3 Scope of Paid Work Experience Services

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### 2.3.1 VR Responsibility

TWC-VR staff are responsible for developing paid work experience opportunities and worksites in both the public or private sector for paid work experience placements. TWC-VR staff may directly develop these paid work experience opportunities. TWC-VR will comply with the Board's exclusions and exceptions to the type of worksites or businesses. TWC-VR staff may work in collaboration with Board or contractor staff to identify worksites based on the Boards' expertise in the local labor market and established relationships with area employers.

TWC-VR regional management will participate in an orientation and coordination meeting with the Board and/or, as applicable, the Board’s contractor, prior to initiating Work Experience Services under this Chapter.

As necessary based on the significance of a Participant's impediments to employment and associated support needs, TWC-VR may also purchase Work Experience Services from a TWC-VR contracted Employment Services Provider (ESP). For additional information about Work Experience Services delivered through ESPs, refer to Chapter 14 of the Vocational Rehabilitation Standards for Providers Manual which is posted on TWC's internet site at this link: http://www.texasworkforce.org/standards-manual/vr-sfp-chapter-14. ESPs develop worksite placements as appropriate for the individual Participant and monitor the Participant's progress. ESPs do not provide wage payment services.

TWC-VR staff or ESPs will conduct a worksite orientation with the designated worksite supervisor or contact person. The orientation will include:

* an overview of worksite and Participant responsibilities;
* the hourly rate the Participant will be paid as specified by the Board in Section 2.3.2 of this chapter;
* the maximum number of hours that the Participant may work per week (up to 20);
* the start and end date for the work experience placement (not to exceed 12 weeks), and
* the worksite supervisor's or contact person's responsibility to ensure a complete and accurate timesheet or payroll record is timely provided to the Board or the Board's contractor.

Form I-9 is used for verifying the identity and employment authorization of individuals hired for employment in the United States. Although it is ultimately the Board contractor’s responsibility as the employer of record, TWC-VR staff may assist Participants with preparing any required I-9 paperwork when necessary. TWC-VR staff may sign I-9 as a preparer or translator; however, if they do, should be mindful that they are attesting under oath that they have assisted in the completion of the form and that to the best of their knowledge the information is true and correct.

Participants may provide identification and employment authorization documents:

* in-person;
* by mail; or
* remotely by using videoconference, fax, encrypted email or other secure electronic means acceptable to the participant and TWC-VR staff.

Local TWC-VR staff will issue a Service Authorization to the Board or designated Board contractor, authorizing Board payment of wages for a VR Participant. With the Service Authorization, TWC-VR staff will provide information about the Participant, worksite, designated worksite supervisor or contact person, maximum number of number of hours per week and the end date for the Paid Work Experience Services.

TWC-VR staff or, as applicable, ESPs, are responsible for worksite monitoring and for addressing any needs or concerns shared by the worksite supervisor or contact person regarding the Participant's performance at the worksite. TWC-VR staff will notify Board staff or designated Board contractor staff within 48 hours regarding worksite incidents involving injury, property damage, or behavioral situations that result in termination of the student's placement at the worksite.

### 2.3.2 Board Responsibility

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## 2.4 Documentation and Record Keeping

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### 2.4.1 Electronic Data Storage

Confidential data must be encrypted using current Federal Information Processing Standards (FIPS) validated cryptographic modules. The minimum encryption level is:

* Advanced Encryption Standard (AES) with 256-bit encryption.
* Only approved public algorithms such as AES, RSA public key cryptography, and SHA-256 or better are allowed for hashing. Do not use weak algorithms such as MD5 or SHA1.
* Confidential data in motion or transferred must meet or exceed 256-bit Transport Layer Security (SSL/TLS). At a minimum, TLS v1.1 should be used.

### 2.4.2 Signature Procedures

When signatures are required for timesheets and the VR1990 Worksite Agreement VR staff should work with customers and employers to obtain their signatures , using encryption through one of the following methods:

* obtaining hadwritten signatures;
* obtaining a customer’s and employer’s digital signature using an approved software option. Examples of approved software to collect digital signatures include Adobe and DocuSign (when it is an option for a TWC-VR form). Approved software including Adobe and DocuSign can be used on smart devices (such as tablets and phones); or
* sending a copy of the document to the customer or employer when they have the equipment necessary to print, sign and return an electronic copy of the signed form (such as a photo or scanned copy).

In the circumstances in which VR staff cannot obtain a handwritten or digital signature, VR staff may obtain an email from the customer and employer indicating agreement for his or her signature on the form.

When obtaining an email from the customer or employer indicating agreement for his/her signature, staff must document that the customer or employer has reviewed the form and authorized the VR counselor to sign the timesheets and VR1990 on his/her behalf. The VR counselor will copy and paste the email into the case note, including the email from the customer or employer stating the agreement. When the form is printed, this email is to be attached to the form.

If the customer is not available for VR staff to verify the hours reported on the timesheet (as applicable), VR staff must document in case notes, in a timely manner, all attempts to verify the hours worked.

Board electronic signatures will be accepted on forms required for invoicing.

## 2.5 Allowable Costs

A Board may bill for Paid Work Experience Services not to exceed the Board's costs to provide services under a contract for Paid Work Experience Services with TWC and as described in the information submitted by the Board in Section 2.3.2 of this chapter. TWC is not obligated to pay unauthorized expenses or to pay more than the fees as outlined in this chapter.

Boards must not provide Paid Work Experience Services to a VR Participant beyond the end date specified on the most recent TWC-VR Service Authorization.

### 2.5.1 Payment

Payment will be made to Boards for wages paid for actual time worked at the worksite and other costs associated with payroll.

Board costs must be provided to TWC-VR as required in Section 2.3.2 of the chapter and may include:

* Hourly wage paid to the Participant, which includes Federal income tax withholding and Federal Insurance Contributions Act (FICA, also referred to as Social Security) expenses;
* Federal Unemployment Tax Act (FUTA) and State Unemployment Tax Authority (SUTA);
* Workers compensation insurance;
* Board contractor's set-up and payroll processing fee; and
* Board invoice processing fee.

### 2.5.2 Invoicing for Payment

TWC will pay, in accordance with the Texas Prompt Payment Act, upon receipt of complete, timely submitted invoices for wages and associated costs as specified in Section 2.3.2 of this chapter and paid to VR Participants consistent with the Service Authorization issued by the TWC-VR staff.

Local TWC-VR staff will issue a Service Authorization to initiate Paid Work Experience Services. The Service Authorization will include:

* the start and end date for the Participant's paid work experience assignment;
* the number of hours the Participant is approved to work each week;
* the unit cost, as provided by the Board in Section 2.3.2 of this chapter; and
* the one-time set-up fee, if applicable.

Local TWC-VR staff will include a Work Experience Worksite Agreement (see Section 2.4.2 if an electronic signature is warranted) with the Service Authorization. The Worksite Agreement will be used by TWC-VR staff or, as applicable, the ESP. The Worksite Agreement will provide information as necessary for the Board to establish Paid Work Experience Services for the Participant, including:

* the Participant's name;
* the Participant's VR Case ID number;
* the name and physical address of the public or private entity serving as the worksite;
* the designated worksite supervisor or contact person that will be responsible for signing or certifying the Participant's timesheets;
* contact information for the designated worksite supervisor or contact person;
* the work experience start and end date; and
* the Participant's projected work experience schedule.

TWC-VR staff will also provide additional documentation or information as agreed and documented in the local coordination and referral procedures established by the Board and TWC-VR as described in Section 2.3.2 of this chapter.

Boards, either directly or through a subcontractor, will then set up wage payment services for the Participant. Boards will pay the Participant's wages for each period upon receipt of a completed timesheet or payroll record from the designated worksite supervisor or contact person that verifies the hours worked by the Participant. The timesheet or payroll record must be signed or certified by both the designated worksite supervisor or contact person and the Participant.

To receive payment from TWC-VR, Boards will submit a complete invoice for payment, along with supporting documentation as described in Section 2.5.4 of this chapter, to the TWC-VR office shown in the "Remit to" address printed on the Service Authorization. Boards may invoice TWC-VR weekly, bi-weekly or monthly based on the Board or Board contractor's payroll cycle or other billing cycle. TWC will make payment by direct deposit to each Board's account.

### 2.5.3 Invoices

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