

TEXAS WORKFORCE COMMISSION
Workforce Development Letter

ID/No:	WD 06-13, Change 1
Date:	December 11, 2020
Keyword:	General; NCP Choices; TANF/Choices; SNAP E&T; TAA; TWIST; WIOA
Effective:	Immediately

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

From: Courtney Arbour, Director, Workforce Development Division



Subject: **Documenting Services and Participant Contact in The Workforce Information System of Texas** *Counselor Notes—Update*

PURPOSE:

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance on:

- contact with participants; and
- comprehensive documentation of services and contact with participants in The Workforce Information System of Texas (TWIST) *Counselor Notes*.

RESCISSION:

WD Letter 06-13

BACKGROUND:

Accurate service and outcome data for Texas workforce system customers is necessary to meet state and federal reporting requirements and to assess the performance of the workforce system. The data are used to generate reports and information that the Texas Workforce Commission (TWC) and Boards use to manage, monitor, and assess performance. It is necessary that all information entered into TWIST be clear, concise, comprehensive, and accurate.

TWC has identified the following issues:

- After prolonged periods in which there was no contact with a participant, services were entered into TWIST—thereby delaying the participant’s exit.
- A participant was placed in a variety of services, such as mentoring, tutoring, and GED services, in excess of 90 days and no contact with the participant was

documented in TWIST *Counselor Notes* during that time—thereby preventing the participant’s exit and causing inaccurate data to be reported.

The accuracy and reliability of data is essential for efficient and responsible public administration and necessary for reporting such information to the US Department of Labor (DOL), the Legislative Budget Board, and others, and for maintaining the integrity of the Texas workforce system.

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” 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.”

Notification of Contact Requirements

NLF: Boards must ensure that each individual is provided notice of contact requirements at, or before, enrollment in each program. Such notice must include:

- participant contact responsibilities;
- staff contact responsibilities;
- required contact frequency;
- acceptable contact methods;
- results of failure to maintain contact (including possible case closure); and
- the participant’s right to appeal actions resulting from lack of engagement.

Contact with Participants

NLF: Programs and activities have different contact requirements; therefore, Boards must ensure that Workforce Solutions Office staff is aware of and understands the differences among programs.

NLF: For services that are open longer than one day, Boards must ensure that Workforce Solutions Office staff actively works with participants throughout the entire period of service.

NLF: Boards must ensure that Workforce Solutions Office staff is in direct, two-way contact with participants at least monthly. For this purpose, the following applies:

- Monthly means during each calendar month, with no more than approximately 30 days between contacts.
- Direct, two-way contact requires communication between the parties involved, for example, in-person, videoconferencing, email, text, phone call, or fax. This may

require a participant to provide documentation or other evidence of participation beyond verbal acknowledgment.

- Automated responses, such as an outgoing voice mail message or out-of-office notifications, do not qualify.

NLF: Boards must ensure that staff members do not enter services without direct participant contact and confirmation of activity in accordance with local policies.

NLF: Boards must ensure that staff members make appropriate attempts to outreach a participant in order to make contact. Except for SNAP E&T and TANF programs, if staff members are unable to make direct contact, no fewer than two additional attempts to contact a participant in a given month are required.

LF: Boards may implement local policy that requires more frequent contact than what is required by this WD Letter or by program guidelines.

Documentation in TWIST Counselor Notes

NLF: Boards must ensure that the combination of services and detailed narrative information entered into TWIST *Counselor Notes* reflect a comprehensive picture of Workforce Solutions Office staff interactions with participants.

Documenting Services

NLF: Boards must ensure that Workforce Solutions Office staff:

- only documents services (for example, *12-Job Search Assistance* or *72-Tutoring/Study Skills/Instruction*) in TWIST when actively working with a participant;
- only documents services provided to a participant;
- accurately records service dates in TWIST; and
- closes service activities when no longer actively working with a participant. This includes manually closing out open service records with the correct service end dates and completion reasons.

Documenting Contact with Participants

NLF: Boards must ensure that Workforce Solutions Office staff documents the following information in TWIST *Counselor Notes*:

- Details of all services provided
- All contact with participants and other entities concerning the participants
- Participants' progress, including supporting documentation and status

LF: Boards may use documentation received from a school or training provider, including by email or fax, to verify attendance and progress in training or education services.

NLF: Boards must be aware that contact with a school or training provider for service tracking purposes by a staff member neither constitutes nor replaces required monthly contact with a participant.

NLF: Boards must ensure that Workforce Solutions Office staff enters into TWIST *Counselor Notes* a comprehensive, detailed, self-explanatory narrative on participants' cases that enables other staff members to work the cases with minimal background information required from participants.

NLF: Boards must ensure that Workforce Solutions Office staff includes the following types of information in the narrative, *as applicable*: title (a descriptive subject entry accurately reflecting the contents); who (for example, customer's name, employer's name); what (activity being reported); when (the date the activity was reported); where (such as customer's work or school location); why (for example, to verify or document service activities); and how (for example, customer called and case manager called).

Attachment 1, Sample Comprehensive Narrative Entries for TWIST *Counselor Notes*, provides scenarios of participant cases showing comprehensive and accurate narratives for TWIST *Counselor Notes*.

NLF: Boards must ensure that Workforce Solutions Office staff enters comprehensive information into TWIST *Counselor Notes* within one week of the service provision or contact.

LF: Boards may require their contractors to apply these procedures for child care services.

INQUIRIES:

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

ATTACHMENT(S):

Attachment 1: Sample Comprehensive Narrative Entries for TWIST *Counselor Notes*

Attachment 2: Revisions to WD 06-13 Shown in Track Changes

REFERENCES:

Workforce Innovation and Opportunity Act, Final Rule, 20 CFR §677.205

US Department of Agriculture, Food and Nutrition Service Rules and Regulations, 7 CFR §273.7(a)

US Department of Health and Human Services, 45 CFR §265.9

US Department of Health and Human Services, Administration for Children and Families, Temporary Assistance for Needy Families Final Rule, 45 CFR, Part 261, et al.

Texas Penal Code §37.10

Texas Workforce Commission Chapter 811 Choices Rules