# **TEXAS WORKFORCE COMMISSION Workforce Development Letter**

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Effective:	30 days from issuance

**To:** Local Workforce Development Board Executive Directors

Commission Executive Offices Integrated Service Area Managers

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From: Mary York, Director, Workforce Development Division

**Subject:** Integrating the Jobs for Veterans State Grants Program in

**Workforce Solutions Offices** 

## **PURPOSE:**

The purpose of this WD Letter is to provide Local Workforce Development Boards (Boards) with information and guidance regarding Jobs for Veterans State Grants (JVSG) program operations within Workforce Solution Offices.

#### **RESCISSIONS:**

WD Letter 19-22

#### **BACKGROUND:**

The JVSG program provides federal funding to states to hire dedicated staff members to:

- provide individualized career and training services to Transitioning Service Members (TSMs), eligible veterans, and eligible persons with Qualifying Employment Barriers (QEBs); and
- help employers fill their workforce needs with job-seeking veterans.

The Texas Veterans Commission (TVC) administers the JVSG program in Texas. JVSG funds the three principal staff positions and clarifies their statutory duties. These staff positions, which are collocated in Workforce Solutions Offices, are categorized as follows:

Disabled Veterans Outreach Program (DVOP) specialists

- Local Veteran Employment Representatives (LVERs)
- Consolidated DVOP/LVER staff members

Under JVSG, states are required to screen individuals for eligibility for DVOP specialist or consolidated DVOP/LVER staff-provided services. Screening individuals ensures compliance with the statutorily defined duties of JVSG-funded staff positions and helps Workforce Solutions Office staff direct individuals to the most appropriate services.

On August 13, 2024, the U.S. Department of Labor Employment and Training Administration published <u>Training and Employment Guidance Letter (TEGL) 03-24</u>, titled "Jobs for Veterans' State Grants Program Reforms and Roles and Responsibilities of American Job Center Staff Serving Veterans," which clarifies the roles and responsibilities of JVSG staff and Workforce Innovation and Opportunity Act (WIOA)—funded program staff in providing quality services to veterans on a priority basis. TWC is updating its guidance to align with TEGL 03-24 and <u>Veterans' Program Letter (VPL) 05-24</u>.

#### **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."

## **Roles and Responsibilities**

<u>NLF</u>: Boards must inform appropriate Workforce Solutions Office staff of the following terms related to the JVSG program:

- Workforce Solutions Office intake staff determines the needs of incoming
  customers and screens them for eligibility and referral to appropriate program
  staff for services. This may include initial contact by phone, electronic
  communication (through email, social media, instant message, or text), in-person
  or online as part of an application process for a specific program, or any other
  method by which eligible individuals express an interest in receiving workforce
  services.
- **DVOP specialist** provides individualized career services to meet the employment needs of eligible veterans and eligible persons.
- LVER conducts targeted outreaches to assist employers with fulfilling their workforce needs and to help veterans gain employment; conducts job search workshops and establishes job search groups in conjunction with employers; and

- facilitates employment, training, and placement services in coordination with employment services and other partner workforce programs.
- Consolidated DVOP/LVER staff member performs duties that may include those of a DVOP specialist and an LVER.
- **DVOP is unavailable** means the DVOP specialist has a full caseload (as determined by TVC), is not present (physically or virtually), or is in a meeting when a customer would otherwise be referred.

## **JVSG Staff Integration**

- <u>NLF</u>: The JVSG program is a required partner program under WIOA. Boards must integrate JVSG staff in Workforce Solutions Offices by:
  - supporting DVOP participants through integrated case management;
  - including LVERs as active members of business services units;
  - including LVERs in business service team meetings;
  - obtaining periodic updates from LVERs on state or local veteran employment opportunities at internal meetings or training events;
  - establishing and maintaining a shared local resource directory for all program staff; and
  - identifying veteran-friendly local employers at job fairs.
- <u>NLF</u>: Boards must ensure Workforce Solutions Office staff do not request JVSG staff to perform duties that are outside of their statutorily required roles and responsibilities.
- **NLF:** Boards must ensure Workforce Solutions Office staff performing intake duties:
  - determine the interests and service needs of incoming customers;
  - inform the customer of the opportunity to make an appointment with a DVOP specialist if a DVOP is unavailable to accept referrals;
  - provide appropriate services and referrals to meet the needs of the individual and to satisfy priority of service requirements; and
  - refer veterans and covered persons who are not eligible for or who do not want or need DVOP services to other workforce programs, as appropriate.

## Identifying Eligible Individuals to Receive Services from DVOP Specialists and Consolidated DVOP/LVER Staff Members

- <u>NLF</u>: Boards must ensure Workforce Solutions Office intake staff screen individuals for eligibility for DVOP and consolidated DVOP/LVER services using the DVOP Eligibility Screening Tool (Attachment 1).
- NLF: Boards must ensure Workforce Solutions Office intake staff upload the completed DVOP Eligibility Screening Tool into the individual's Personal Profile in WorkInTexas.com. Individuals without a WorkInTexas.com account must be referred to ES staff for WorkInTexas.com account registration assistance and screened before being referred to a DVOP or consolidated DVOP/LVER staff member.

#### **JVSG Eligible Populations**

- <u>NLF</u>: Boards must ensure that Workforce Solutions Office intake staff immediately refers individuals who have been determined eligible and who have expressed interest in DVOP services to a DVOP specialist. To determine eligibility, individuals must meet the criteria for one of the following categories as identified in Attachment 1, DVOP Eligibility Screening Tool:
  - Current Service Members, including TSMs
  - Eligible veterans and persons identified as having a QEB
- <u>NLF</u>: Boards must ensure that when Workforce Solutions Office intake staff requests information about an individual's QEB, they:
  - state clearly that the information is solely for determining eligibility and service prioritization;
  - guarantee confidentiality of all shared information;
  - communicate that refusing to provide information will not result in negative consequences; and
  - assure the individual that information will be used only in compliance with TWC guidelines.

## **Transitioning Service Members**

- NLF: Boards must ensure that Workforce Solutions Office intake staff review the TSM's Projected Discharge Date in WorkInTexas.com to determine whether they continue to meet eligibility requirements for DVOP specialist or consolidated DVOP/LVER staff assistance.
- <u>NLF</u>: For individuals who are no longer eligible as TSMs, Boards must ensure staff updates the **Veteran** tab in WorkInTexas.com to reflect "No" on the following questions:
  - Are you within 24 months of retirement?
  - Are you within 12 months of discharge from the military?

**Note:** TSMs are not required to possess a QEB to be eligible for DVOP specialist or Consolidated DVOP/LVER staff assistance.

## **Veteran Screening Training**

- NLF: Boards must ensure that all Workforce Solutions Office intake staff who may screen veterans—either in person, on the phone, or electronically—complete the National Veterans' Training Institute (NVTI) Microlearning video training: The American Job Center Intake Process. The training must be viewed by:
  - current staff, 90 days from the release of this WD Letter; or
  - newly hired staff, 60 days from date of hire.

Boards must ensure that training for Workforce Solutions Office intake staff intake is recorded using the NVTI Veteran Screening Training Attendee Form (Attachment 2). The form must be emailed to the director of the Texas Veterans Leadership Program at <a href="mailto:bobby.gearjr@twc.texas.gov">bobby.gearjr@twc.texas.gov</a>, within 10 days following the training completion deadlines mentioned above. Thereafter, the form must be completed annually and sent to TWC by December 31 or the first business day after if that date falls on a weekend.

#### **JVSG Staff Contact Information**

NLF: Boards must ensure that their websites do not contain contact information for JVSG staff.

#### **INQUIRIES:**

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

#### **ATTACHMENTS:**

Attachment 1: DVOP Eligibility Screening Tool

Attachment 2: NVTI Veteran Screening Training Attendee Form

#### **REFERENCES:**

Title 20, Code of Federal Regulations (CFR), Part 1010, Application of Priority of Service for Covered Persons

Title 38, United States Code (USC), Chapter 42, as amended by Public Law 107-288, Jobs for Veterans Act

Title 38, USC, Chapter 41, §4103A

Title 38, USC. Chapter 41, §4104

Title 38, USC, Chapter 1, §101

Title 42, USC, Chapter 119, §11302(a) and (b), Public Health Service Act

WIOA (Public Law 113-128)

Title 40, Texas Administrative Code (TAC), Part 20, Chapter 801, Local Workforce Development Boards Rules

Title 4, Texas Labor Code, Chapter 302, Subchapter A, §302.0034

Training and Employment Guidance Letter No. 10-09, issued November 10, 2009, and titled "Implementing Priority of Service for Veterans and Eligible Spouses in All Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor (DOL)"

- Training and Employment Guidance Letter No. 20-13, Change 2, issued February 7, 2019, and titled "Designation of Additional Population of Veterans and Other Populations Eligible for Services from the Disabled Veterans' Outreach Program Specialists"
- Training and Employment Guidance Letter No. 03-24, issued August 13, 2024, and titled "Jobs for Veterans' State Grants (JVSG) Program Reforms and Roles and Responsibilities of American Job Center (AJC) Staff Serving Veterans"
- Veterans' Program Letter 05-24, issued April 25, 2024, and titled "Jobs for Veterans State Grants Staff Roles and Responsibilities and Coordination with Workforce Innovation and Opportunity Act Services to Veterans"
- Veterans' Program Letter 07-09, issued November 10, 2009, and titled "Implementing Priority of Service for Veterans and Eligible Spouses in all Qualified Job Training Programs Funded in Whole or in Part by the U.S. Department of Labor"
- WD Letter 01-21, Change 1, issued March 18, 2024, and titled "Applying Priority of Service and Identifying and Documenting Eligible Veterans and Transitioning Service Members—Update"