

CLEAR STATEMENT OF THE WORKSOURCE POLICY TO BE FAXED OR EMAILED TO APPEALS HEARING OFFICERS

FAILURE TO RESPOND TO RECRUITMENT/OUTREACH LETTER (TANF)

PURPOSE

The purpose of this document is to provide hearing officers with a clear statement of The WorkSource policy for use in appeals hearings.

FAILURE TO RESPOND TO RECRUITMENT/OUTREACH LETTER

- **The WorkSource Policy**

The WorkSource will initiate a penalty for a TANF recipient who does not respond within our required timeframe to our outreach/recruitment letter.

 - **Texas Workforce Commission Choices Rules section that permits us to do this: Texas Workforce Commission Choices Rules: 40 TAC Chapter 811, Section 811.13.**
 - **The WorkSource Procedures: The WorkSource Basic Service Standard and Guidelines, Attachment VII.I.5.A entitled Contact Letter Instructions – TANF Recipient Never Seen By The WorkSource.**

- **What we will demonstrate**
 - It is the policy of The WorkSource to mail recruitment letters to TANF recipients who have a mandatory work requirement and who have not been seen at an office of The WorkSource.
 - The WorkSource mailed the outreach/recruitment letter to the customer on a specific date.
 - The WorkSource mailed the outreach/recruitment letter to the customer's current mail address, which is the same mail address used by HHSC.
 - The letter instructed the customer to respond within 7 calendar days of the date on the letter.
 - The customer did not respond and The WorkSource initiated a penalty on the 8th calendar day from the date of the letter. Or,
 - The customer responded, but did not want to cooperate and did not offer a good cause for not cooperating.

▪ **The documents we will present**

- Copy of Recruitment Letter sent to the individual customer who is appealing. The letter is dated and states that the customer has “7 calendar days from the date of the letter to respond to The WorkSource”.
- Copy of TWIST Counseling Record. The counseling note is a system entry, automatically created by the system and shows the address and date the letters were created. The address is the same address used by HHSC.
- Copy of The WorkSource Policy Regarding Recruitment.

POLICY REGARDING RECRUITMENT

Source: Texas Workforce Commission Choices Rules: 40 TAC Chapter 811, Section 811.13.

§811.13. Responsibilities of Mandatory Individuals, and Exempt Recipients Who Voluntarily Participate.

- (a) A Board shall ensure that mandatory individuals, and exempt recipients who voluntarily participate in Choices services, comply with the provisions contained in this section.
- (b) Mandatory individuals, and exempt recipients who voluntarily participate in Choices services, shall:
 - (1) accept a job offer at the earliest possible opportunity;
 - (2) participate in or receive ancillary services necessary to enable mandatory individuals to work or participate in employment-related activities, including counseling, treatment, vocational or physical rehabilitation, and medical or health services;
 - (3) report hours of participation in component activities, including hours of employment; and
 - (4) attend scheduled appointments.
- (c) Within two-parent families, mandatory individuals, and exempt recipients who voluntarily participate in Choices services, shall participate in assessment and family employment planning appointments and assigned employment and training activities as follows:
 - (1) participate in Choices employment and training as specified in §811.25(c)-(d) of this chapter;
 - (2) comply with requirements regarding core and non-core activities, as specified in §§811.25-811.32 of this chapter;
 - (3) comply with all requirements specified in the family employment plan; and
 - (4) sign a form that contains all the information identified in the Commission's Family Work Requirement form, as described in §811.24 of this chapter.
- (d) Within single-parent families, mandatory individuals, and exempt recipients who voluntarily participate in Choices services, shall participate in assessment and employment planning appointments and assigned employment and training activities as follows:
 - (1) participate in Choices employment and training activities as specified in §811.25(b) of this chapter;
 - (2) comply with requirements regarding core and non-core activities, as specified in §§811.25-811.32 of this chapter; and
 - (3) comply with all requirements specified in the family employment plan.
- (e) A Board shall ensure that recipients who elect to receive the EID through TDHS:
 - (1) report actual hours of work to a Board; and
 - (2) are provided with information on available post-employment services.

The provisions of this §811.13 adopted to be effective November 18, 2003, as published in the Texas Register, November 14, 2003, 28 TexReg 10261.

Source: The WorkSource Basic Service Standard and Guidelines, Attachment VII.I.5.A: Contact Letter Instructions – TANF Recipient Never Seen By The WorkSource

PURPOSE:

To contact customers who currently receive welfare assistance and did not visit The WorkSource office before becoming certified for TANF cash assistance.

PROCEDURE:

The letter is to be used only to contact customers who are certified to receive TANF cash assistance before signing a Family Employment Plan and receiving information about cooperation with The WorkSource.

DETAILED INSTRUCTIONS

Send the letter to any customer who is receiving TANF cash assistance and has not attended an orientation.

- If customer does not respond to the letter within seven calendar days no further contact is necessary. Send sanction request via the electronic system to the Health and Human Services Department.
- If the customer responds, provide the customer with The Workforce orientation brochure and Family Employment Plan Agreement. Retain the office copy of the customer's signed Family Employment Plan.
- Help the customer find employment.