



WS 09-13

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To: Career Offices

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Subject: UI Claimants Exemption for Approved Training

Purpose

Provide information and instructions on record-keeping for the work search exemption available to UI claimants participating in approved training.

How to get an exemption

Claimants who enroll and participate full-time in approved training may be exempt from requirements to be available and searching for work to receive their benefits.

If a claimant wants an exemption, she must go through a Workforce Solutions office. Our staff can help a claimant get the training she wants and needs to go back to work. If she is already enrolled in training, we provide information about that training to the Workforce Commission (TWC) unemployment insurance staff.

We also record all information about a claimant's training so that the TWC unemployment insurance staff can review a request for a work search exemption and make an appropriate decision. The TWC unemployment insurance staff will decide if a claimant receives an exemption, and they will notify her in writing.

The following rules apply for exemptions:

1. A claimant must be enrolled or enrolling in training for an occupation on Workforce Solutions' UI Claimants Occupations for Approved Training *or* in training funded by the Texas Department of Assistive and Rehabilitative Services, the Texas Department of Aging and Disability Services, federal or state agencies serving veterans (such as the U.S. Department of Veterans Affairs and the Texas Veterans Commission), or funded through Workforce Solutions using Trade Act or Workforce Investment Act funds.
2. A claimant cannot have been most recently employed in any occupation on the Workforce Solutions Unemployment Insurance Claimants Occupations for Commission-

Approved Training list. TWC considers these claimants to have skills and/or experience in these occupations and not eligible for an exemption for training.

How claimants know about the exemption

- TWC mails letters to notify claimants of the possibility of training and potential funding sources such as Pell grants. *A sample of the letter text is attached to this issuance.* The letter informs claimants to request assistance from Workforce Solutions regarding training.
- UI Tele-Center staff become aware a claimant is in training during the biweekly continued claims certification process. The Tele-Center staff tell the claimant to contact us about an exemption.
- We let claimants know that an exemption may be available through our orientation for profiled claimants or through discussion with an active customer.

What we do

We work with a claimant interested in training the same way we work with any other customer interested in training. When the customer expresses an interest in going school, we offer to help her by providing informed professional career advice, employment planning, and help with financial aid resources.

Claimants who enroll in training programs on their own – without contacting us first – will have to go through us to obtain a work search exemption. For these customers, our primary job is to document their requests for exemption, although, as with any customer, we can offer them advice and financial aid.

Claimants not already enrolled in training

When working with a claimant who is interested in an exemption, but not yet enrolled in training, we must determine if the claimant's most recent occupation is included in the Workforce Solutions UI Claimants Occupations for Commission-Approved Training. If the claimant most recently was employed in an occupation on this list, she will not likely be eligible for an exemption.

1. If her most recent employment is not on this list, we:
 - Check to make sure her WorkInTexas.com application is updated and accurately reflects her skills and experience;
 - Check the job matches and/or referrals we've made for her;
 - Assess if suitable work is available for her; and
 - Understand her interest in training for occupations on the approved list.

2. We document all of this information in TWIST.
3. We help the customer with financial aid resources if she wants our help to go to school.
 - Note that scholarship resources available through the Texas Department of Assistive and Rehabilitative Services (DARS), the Texas Department of Aging and Disability Services (DADS), federal and state veteran's agencies (the U.S. Department of Veterans Affairs and/or the Texas Veterans Commission), and through Workforce Solutions (Trade Act and Workforce Investment Act) automatically count as approved training.

Claimants already enrolled in training

For any claimant who enrolled in training without talking to us first -- when she does contact us about an exemption from her work search requirements, we document in TWIST the required elements about her most recent occupation, the availability of suitable work, and her training program or programs.

What to keep in mind

1. Training provided entirely through distance learning must result in a nationally recognized degree or credential.
2. Workforce Solutions is not required to fund all claimant requests for scholarships.
3. We data-enter information in TWIST the same day that we get the information.

How we put it in TWIST

We have attached the procedures to document a request for a work search exemption in TWIST.

Action Required

1. Make sure that office staff are able to recognize a request from a claimant for an approved-training work search exemption and then provide the appropriate service for the claimant.
2. Make sure offices document required elements in TWIST for claimants requesting exemptions.

Questions

Direct questions through the electronic Q&A posted with the policy on the website at <http://www.wrksolutions.com/staff/policiesandprocedures.html>.

Attachments

- Sample Text of TWC Letter to UI Claimants
- Workforce Solutions Unemployment Insurance Claimants Occupations for Commission-Approved Training
- What Is Suitable Work
- TWIST Instructions for Documenting Training for UI Claimants

Workforce Solutions
Sample Text from the TWC Claimant Training Notification Letter

Pell Grants – Unemployment Insurance Approved Training

I am writing to inform you that unemployed workers who are receiving unemployment insurance (UI) benefits may be eligible for federal financial aid, such as Pell Grants, that can be used to pay for job training or education. This letter does not affect your ongoing UI eligibility requirements and is not a guarantee of financial assistance through Pell Grants or workforce training programs. It is intended to advise you of reemployment services available and the potential for education or training assistance.

Pell Grants are needs-based, and your eligibility for these grants depends on the total income of your family. Pell Grants cover **up to** \$5,350 in degree-related education and training expenses. The grants are accepted at most universities, community colleges, and trade or technical schools. Even if you are not eligible for a Pell Grant, you may be eligible for other types of financial aid—go to www.opportunity.gov for more information.

If you are interested in pursuing federal financial aid opportunities, here are the steps to take:

- **Apply to an education or training program and apply for financial aid.** Texas Workforce Centers and local colleges can help you apply for a Pell Grant and other federal financial aid. An application is available at www.fafsa.ed.gov or by calling 1-800-4FEDAID (1-800-433-3243). Please be aware that Texas Workforce Center and Texas Workforce Commission (TWC) UI staff do not review or approve Pell Grant applications.
- **Take this letter with you to the school you select.** For the next 90 days, this letter will confirm that you are receiving UI benefits. *While it does not guarantee you a Pell Grant*, your school will use this letter to assist in determining your eligibility. After 90 days, *or if you misplace this letter*, you may provide alternate evidence that you are receiving UI benefits, such as a printout from TWC's online **Claim and Payment** status at <http://ui.texasworkforce.org>.

Please remember that:

- **entering training does not increase the amount or length of benefits you receive**—if this is your only source of income, consider the remaining amount of UI benefits you have available before entering training; and
- **unless TWC approves your training, you must actively seek work and meet all availability requirements to continue receiving UI benefits while you are enrolled in education or training.** Only under certain conditions can you be exempted from your work search requirements.

Texas Workforce Center staff will assist TWC in determining if you must continue your work search requirements while you are enrolled in education/training.

To continue receiving UI benefits while in training, and be exempt from your work search requirements, Texas Workforce Center staff will conduct an assessment of your existing skills, and determine if there are job openings that match your skills. If there are no jobs, you may be eligible to enroll in Commission-approved training for occupations in which there is a

Workforce Solutions
Sample Text from the TWC Claimant Training Notification Letter

substantial and recurring demand. Enrollment in Commission-approved training will exempt you from your requirement to be available for, seek, and apply for suitable work. All decisions about training and UI benefits will be made in accordance with current state laws and direction from the Commission.

Staff at your nearest Texas Workforce Center can help you with your reemployment efforts. They also can assist you in identifying financial resources, including Pell Grants, to pay for training. The telephone number for your nearest Texas Workforce Center is [phone number of claimant's WF office].

Last year, the Texas workforce system assisted nearly 1.8 million job seekers like you with all types of reemployment services including developing job search skills, enhancing résumés, practicing interviewing, and networking opportunities with local employers. On average, nearly 52,000 job openings are listed on WorkInTexas each day. I strongly encourage you to take advantage of the services and resources at your local Texas Workforce Center.

Our goal is to get Texans back to work in good jobs that support families and our economy!

Workforce Solutions
Unemployment Insurance Claimants
Occupations for Commission-Approved Training

| OCCUPATION TITLE |
|--|
| Computer and Information Systems Managers |
| Financial Managers |
| Compensation and Benefits Managers |
| Construction Managers |
| Compliance Officers, Except Agriculture, Construction, Health and Safety, and Transportation |
| Cost Estimators |
| Employment, Recruitment, and Placement Specialists |
| Compensation, Benefits, and Job Analysis Specialists |
| Training and Development Specialists |
| Human Resources, Training, and Labor Relations Specialists, All Other |
| Business Operations Specialists, All Other |
| Accountants and Auditors |
| Financial Analysts |
| Personal Financial Advisors |
| Loan Officers |
| Computer Programmers |
| Computer Software Engineers, Applications |
| Computer Software Engineers, Systems Software |
| Computer Support Specialists |
| Computer Systems Analysts |
| Database Administrators |
| Network and Computer Systems Administrators |
| Network Systems and Data Communications Analysts |
| Environmental Engineers |
| Industrial Engineers |
| Mining and Geological Engineers, Including Mining Safety Engineers |
| Petroleum Engineers |
| Engineers, All Other |
| Electrical & Electronic Drafters |
| Mechanical Drafters |
| Aerospace Engineering and Operations Technicians |
| Industrial Engineering Technicians |
| Pipe Drafters |
| Atmospheric and Space Scientists |
| Market Research Analysts |
| Geological and Petroleum Technicians |

Workforce Solutions
Unemployment Insurance Claimants
Occupations for Commission-Approved Training
(cont'd)

| |
|---|
| Paralegals and Legal Assistants |
| Nursing Instructors and Teachers, Postsecondary |
| Middle School Teachers |
| Secondary School Teachers |
| Special Education Teachers, Preschool, Kindergarten, & Elementary School |
| Special Education Teachers, Middle School |
| Special Education Teachers, Secondary School |
| Multi-Media Artists and Animators |
| Public Relations Specialists |
| Registered Nurses |
| Respiratory Therapists |
| Medical and Clinical Laboratory Technologists |
| Radiologic Technologists and Technicians |
| Licensed Practical and Licensed Vocational Nurses |
| Occupational Health and Safety Specialists |
| Fire Fighters |
| Police and Sheriff's Patrol Officers |
| Sales Representatives, Services, All Other |
| Legal Secretaries |
| First-Line Supervisors/Managers of Construction Trades and Extraction Workers |
| Carpenters |
| Electricians |
| Plumbers, Pipefitters, and Steamfitters |
| Construction and Building Inspectors |
| Rotary Drill Operators, Oil and Gas |
| Service Unit Operators, Oil and Gas |
| Avionics Technicians |
| Aircraft Mechanics and Service Technicians |
| Auto Service Technicians and Mechanics |
| Heating, Air Conditioning and Refrigeration Mechanics/Installers |
| Industrial Machinery Mechanics |
| Millwrights |
| Machinists |
| Welders |
| Chemical Plant and System Operators |
| Petroleum Pump System Operators |

Workforce Solutions

What is Suitable Work?

Guidance for use in determining if suitable work is available for UI claimants seeking an exemption from work search requirements because they are or want to participate in approved training.

In determining whether work is suitable for an individual, consider:

- the degree of risk involved to the individual's health, safety, and morals at the place of performance of the work;
- the individual's physical fitness and previous training;
- the individual's experience and previous earnings;
- the individual's length of unemployment and prospects for securing local work in the individual's customary occupation; and
- the distance of the work from the individual's residence.

Notwithstanding any other provision of this subtitle, work is not suitable and benefits may not be denied to an otherwise eligible individual for refusal to accept new work if:

- the position offered is vacant directly because of a strike, lockout, or other labor dispute;
- the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; or
- as a condition of being employed, the individual is required to join a company union or to resign from or refrain from joining a bona fide labor organization.

TWIST Instructions for Documenting Training for UI Claimants

The *Optional Question* tab shown below is accessible from the *Intake Common* screen in TWIST. Answer the questions for the section labeled *Office 99 – State of Texas*.

| Office | Optional Question | Answer | |
|--|--|---|--|
| 28 - Gulf Coast WDA | 06. Reside in Pasadena City limits? (Y/N) | | |
| | 01. County Code | | |
| | 02. City Code | | |
| | 03. Zip Code if Houston/Harris County Resident | | |
| | 04. Key Map Code if Houston/Harris County | | |
| | 05. Reside in Houston City limits? (Y/N) | | |
| | Original State of Residence? TX / LA/ | | |
| | Do you intend to return to pre-hurricane area? (1-Y/2-N/3-?) | | |
| | 99 - State of Texas | Original State of Residence? | |
| | | Is training funded by DARS, DADS or a veteran's agency? Y/N | |
| Is current occupation on the Target Occupation list? Y/N | | | |
| Are there any relevant job matches in WorkInTexas? Y/N | | | |
| Is training on the State/Board's Target Occupation list? Y/N | | | |
| For what occupation is the individual being trained? | | | |
| Estimated number of hours per week in training? | | | |
| Training start date? (mm/dd/yyyy) | | | |
| Anticipated training end date? (mm/dd/yyyy) | | | |
| Funding source of training? | | | |

| Optional Question | Answer |
|---|--|
| • Original State of Residence? | leave blank |
| • Is training funded by DARS, DADS or a veteran's agency? | Y/N |
| • Is current occupation on the Target Occupation list? "Current" occupation is the individual's most recent occupation. | Y/N |
| • Are there any relevant job matches in WorkInTexas? | Y/N |
| • Is training on the State/Board's Target Occupation list? Refer to the List of Target Occupations for Commission-Approved Training. | Y/N |
| • For what occupation is the individual being trained? Refer to TWIST Reference Tables/O*NET | Enter the O*NET code |
| • Estimated number of hours per week in training? | Enter as a number |
| • Training start date? | (mm/dd/yyyy) |
| • Anticipated training end date? | (mm/dd/yyyy) |
| • Funding source of training? | Enter the fund: WIA; TAA; DARS; DADS; Pell; VA; Self; or "Other – [name of fund source]" |