

Choices Q&A

**Texas Workforce Commission
Workforce Development Division**

Questions and Responses for New Service Delivery Strategies for Board Contract Year 2021

Updated April 22, 2021

Q: Do all activities and participation hours need to be tracked in TWIST for Choices participants, even if they are not in the “Big 3”?

A: If a Choices eligible individual participates in any allowed Choices activity (Choices Guide section B-402, Choices Work Activities), Workforce Solutions Office staff must track all services in TWIST. This includes entering in TWIST the service or services and the participation hours for the activities that the Choices participant is participating in, even if they are not in the Big 3.

For more information, refer to Choices Guide sections B-401.g, Teen Heads of Household; B-402, Choices Work Activities; and B-403, Participation in More Than One Activity.

Q: Staff is trying to reengage Temporary Assistance for Needy Families (TANF) customers in the Choices program. Outreach events are planned, and we would like to provide customers with items that will support their work and training participation. We cannot find any guidance regarding whether specific items can be provided and whether items may be provided for the participant’s children that allow the participant to work (for example, face masks for children). May we provide the materials listed under the TANF/Choices allocation?

A: Giving away the proposed items to entice mandatory and exempt customers to participate in Choices would not be an allowable cost under the TANF/Choices funding allocation.

Texas Workforce Commission (TWC) Chapter 800 General Administration rule §800.53 states that the annual TANF/Choices funding allocation provides funds to carry out the Choices work program. The primary goals of the Choices program are employment and job retention (§811.1(b)). Mandatory customers are required to participate in Choices as a condition of receiving TANF benefits. If they choose not to participate, they risk losing TANF benefits. Exempt customers are not required to participate in Choices but may do so voluntarily (§811.12). Disseminating the listed items is not required to provide customers with information about Choices participation, and the items are not necessary to participate in the Choices program. Consequently, the items do not meet the cost principle criteria of being necessary and reasonable for performance of the award (2 Code of Federal Regulations (CFR) §200.403). Furthermore, the cost principles addressing advertisement and public relations costs do not provide for giving away items as outreach to entice participation. These principles allow for using advertising media for outreach purposes and for communicating with the public about specific activities of a federal award as part of the outreach efforts (2 CFR 200.421(b)(4) and (d)(2)). However, the cost principles do not allow for costs of “promotional items and memorabilia, including models, gifts, and souvenirs” for outreach purposes (2 CFR 200.421(e)(3)). In considering these cost principles and the information provided above, TWC is unable to allow Boards to use TANF/Choices funds for giving away items as an outreach strategy.

Q: Is it allowable to use Individual Training Accounts (ITAs) and processes to fund vocational trainings under Choices?

A: The use of ITAs to fund vocational trainings with Choices funding is available to Boards. Boards should review their local Board policies to ensure that they allow vocational training to be paid for Choices participants with Choices funding. Furthermore, it is strongly recommended that a Board that is considering using the Eligible Training Provider System (ETPS) and ITA systems to fund training for Choices participants establish local policies as indicated in Choices Guide section B-1101, Choices Services Strategies. For more information, refer to B-1100, Board Policies.

Boards may establish optional policies to require the use of the ETPS and ITA systems to provide Choices services paid for with TANF/Choices funds.

Boards may use any of the following Choices activities without restriction if the activities can reasonably be expected to help Choices participants obtain and retain employment:

- Job search and job readiness assistance
- Work experience
- Community service
- Vocational educational training
- Job skills training

For more information, refer to B-502, Other Choices Program Activities.

Q: Per the Choices Guide, nonmonetary incentives can be awarded for voluntarily participating in Choices services when individuals are exempt. Given the current participation restrictions on mandatory TANF recipients, is it allowable to award nonmonetary incentives to mandatory TANF recipients who voluntarily participate in the Choices program?

A: Nonmonetary incentives are allowable for Choices program participants. In accordance with Choices Guide section B-708, Incentives for Choices Participants, nonmonetary incentives give Boards the opportunity to improve employment, training, and education outcomes.

Boards that choose to offer nonmonetary incentives must develop guidelines and strategies that:

- provide for use of the incentives (eligibility, limitations); and
- ensure that the incentives are accurately documented in TWIST in a timely manner as referenced in B-1103, Incentives. Boards must ensure that case managers adhere to established Board incentive policies.

Q: Is it possible to temporarily waive the restriction on weekly participation incentives for mandatory TANF recipients who are participating in Choices?

A: Choices Guide section B-1103, Nonmonetary Incentives, requires participants to exceed minimum participation requirements to receive nonmonetary incentives. The Choices work requirement is currently waived, but normal participation, even in those circumstances, is not considered to be exceeding participation requirements. Participants may not receive an incentive unless they are exceeding those participation requirements. This restriction cannot be waived.

For a mandatory Choices participant to receive a nonmonetary incentive, they must meet, at minimum, the weekly participation requirements listed in B-401, Participation Requirements.

Q: Is Metrix Learning free for Choices and Supplemental Nutrition Assistance Program (SNAP) participants?

A: The COVID-19 Recovery Q&A dated April 2, 2021, states:

“Q: Will the training be available only for UI claimants, or will it be available for all customers using Workforce Solutions Office services?”

A: The online skills enhancement platforms are intended primarily for claimants. TWC will provide outreach to claimants to invite them to enroll in Metrix. However, all WIT users may access Metrix through the Online Learning Resources page in WIT.

Q: Will there be a cost associated with certifications available in the Metrix system?

A: Metrix course content is available at no charge to TWC-designated users. Some content aligns with Industry Certification Tracks. These certification tracks contain groups of courses that may help prepare an individual for industry certification. To gain an industry certification, the individual must take an exam at a proctored testing center. Fees associated with exams or related materials are not included with the Metrix license.”

Q: Choices Guide section B-401.d, Exempt Choices Participants, says, “Boards must ensure that exempt Choices participants who volunteer to participate comply with all program requirements and comply with reduced work hour requirements when applicable.” Does this mean that exempt customers **do not** have to meet the mandatory participation hours before being eligible for an incentive?

A: Exempt Choices customers may receive incentives. The following statement in the Choices Guide section B-1103, Nonmonetary Incentives, does not differentiate between exempt and nonexempt in this statement: ensure that nonmonetary incentives are awarded only to Choices participants who exceed the minimum requirements of a program, employer, educational institution, or training provider—that is, to participants that achieve or exceed goals beyond those considered requirements of participation. There is an example of a possible board policy regarding exempt participants though, which indicates exempt customers must only complete an identified activity to receive an incentive. Additionally, there is an example of an exempt participant receiving an incentive for simply volunteering in the Choice program. Exempt Choices participants who participate in an identified activity for 30 days or more receive a coupon or gift certificate worth up to \$25.

Q: Also, if a Choices participant is coded by HHSC) as mandatory, but HHSC is not mandating participation for any TANF recipient and not imposing any penalties or sanctions, may a

mandatory Choices participant be considered exempt until HHSC reinstates mandatory participation?

A: If a Choices participant is coded by HHSC as mandatory then the policies regarding mandatory participants would apply to them at this time, even though HHSC has not reinstated mandatory participation.

Q: May a Board’s incentive policy be written to reflect eligibility for incentive for any allowed Choices activity, not just the Big 3?

A: A customer must exceed what is recorded in the table below to be eligible for an incentive based on the guidance in section B-1103, Nonmonetary Incentives. The section states that “nonmonetary incentives are awarded only to Choices participants who exceed the minimum requirements of a program, employer, educational institution, or training provider—that is, to participants who achieve or exceed goals beyond those considered requirements of participation.”

Participant	Total Participation Hours for a 30-Day Month	Total Participation Hours for a 31-Day Month	Weekly Activities
Single Parent with Child under 6	86 hours	89 hours	20 hours
Single Parent with Child 6 or over	129 hours	133 hours	30 hours
Two-Parent Family without Child Care	155 hours	150 hours	35 hours
Two-Parent Family with Child Care	236 hours	244 hours	55 hours

The following activities are included in individual participation requirements:

- Job search and job readiness assistance
- Work experience
- Community service
- Vocational educational training
- Job skills training