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**Vendor Network Standards and Guidelines**

**I. Background**

Workforce Solutions helps employers meet their human resource needs and individuals build careers, so both can compete in the global economy.

To ensure that our region has an educated workforce, Workforce Solutions offers scholarships to help an individual get the skills and credentials he or she needs to get a job, keep a job or get a better job.

Customers determined eligible for our scholarship assistance choose from our network of approved vendors to obtain the training and/or support services they want and need.

These standards and guidelines describe the rules and processes we use to build and maintain the Vendor Network.

# II. Vendor Types

1. **Early Education and Childcare** [**(Refer to Section III)**](#_Early_Education_and)

Early education and childcare vendors provide education and childcare to children so parents can maintain employment or train for employment. Childcare vendors are organized into two different categories: regulated vendors and listed (relative) vendors.

1. ***Regulated Vendors*** include licensed childcare centers, licensed childcare homes, and registered childcare homes.
2. ***Listed (Relative) Vendors*** include eligible relatives who undergo background checks and list with the Texas Department of Family and Protective Services (DFPS).
3. **Education and Training (Refer to Section IV)**

Education and training vendors provide various educational and training services to individuals to prepare them for occupations needed by employers in the Gulf Coast region. We have three categories of education and training vendors:

1. ***Basic Skills***– Providers of adult education/literacy or high school equivalency preparation, English as a Second Language instruction, basic computer literacy skills, and job readiness skills, which are not occupation specific, but are instead, skills that may be used across multiple industries and/or occupations.
2. ***Career Training***– Providers of courses or programs that prepare individuals to enter employment in one of the Board’s high-skill, high-growth occupations; this includes courses of study leading to certificates, associate degrees, and bachelor's degrees.
3. ***Career Advancement Training***– Providers of certificate, seminar or course- based training to help individuals gain additional skills and/or advance in their occupation. Career advancement training may include testing/assessment to demonstrate competency and may also include training to allow an individual to transition existing skills from one occupation or industry to another.
4. **Project Based (Refer to Section V)**

Project based vendors provide training and/or certifications that prepare an individual to enter employment in a designated occupation or industry, based on a specific project or grant award.

1. **Talent Development (Refer to Section VI)**

Workforce Solutions helps employers build a skilled and reliable workforce by using customized talent development strategies and projects to increase an employer’s competitiveness. We support employers by working with them to train and employ new and current workers through the following programs:

1. ***New Worker Custom Training*** is a class-sized or cohort-sized skills training for a group of new hires or potential new hires, for a specific employer or group of employers. Based on the employer’s need, a curriculum is developed and training is provided. Workforce Solutions may help support the cost of training for individuals who are referred by employers or recruited by Workforce Solutions Talent Development staff.
2. ***Current Worker Training*** is designed for employees who currently work for the employer requesting assistance. This can include skill training, skill upgrading, basic education or combinations using available partners. Workforce Solutions may help support the cost of training for employees currently working for employers in the Gulf Coast region’s target industries.
3. ***On-the-job training*** is a formal plan of skill and knowledge education related to a specific occupation that occurs while trainees are employed as entry-level hires. Workforce Solutions can provide funds to defray the cost of on-the-job training for employees who have been screened and determined eligible for Workforce Solutions funding.
4. ***Pre-apprenticeships***are programs or set of strategies that lead into the path of a Registered Apprenticeship program and have a documented partnership with at least one or more Registered Apprenticeship programs and employer(s). Pre-apprenticeship may include a training component that can be funded by Workforce Solutions if it is listed on the statewide Eligible Training Provider List (ETPL).
5. ***Registered Apprenticeships*** are business-driven, earn-and-learn career pathways in which employers can develop and prepare their future workforce, and individuals can obtain work experience, classroom instruction, and a nationally recognized credential. The education component can be funded by Workforce Solutions if the training provider and program are listed on the ETPL.
6. **Work and Education Support Services (Refer to Section VII)**

Work and education support vendors provide services to help our customers obtain and maintain employment or attend an educational or training program. We have three categories of work and education support vendors:

1. ***Financial Aid Support Services*** are provided to customers according to categories, types and limits listed on the Financial Aid Limits by Type of Assistance desk aid. Customers may receive financial assistance for work support, work search support, and education support via online purchasing, reimbursement, direct payment to vendors, vendor cards and/or cash cards.
2. ***Translation and Interpreter Services*:**
	* + - 1. Translation service vendors help Workforce Solutions staff translate written documents into languages spoken by customers.
				2. Interpretation service vendors help customers communicate with Workforce Solutions staff either by telephone, video relay, or in person. The process on how to set up interpreting services can be found in the [Interpreter Services Desk Aid](https://www.wrksolutions.com/Documents/Staff/EEO/Interpreter-Services-Desk-Aid.docx).
3. ***Job Skills Coaching Services*** are real time, on-the-job coaching assistance for a prescribed number of hours to individuals with disabilities, who may need support with learning and understanding company practices and job specific tasks.
4. **Trade Adjustment Assistance (TAA) Vendors (Refer to Section VIII)**

TAA vendors provide education, training and/or certifications that prepare workers eligible for TAA benefits, who have lost their jobs due to the adverse effects of foreign trade, to enter employment in an appropriate occupation or industry chosen by the individual.

# III. Early Education and Childcare Vendors

Workforce Solutions establishes payment arrangements with early education and childcare vendors throughout our 13-county region. Customers choose a vendor from our established vendor network to receive service for their children. All childcare vendors are inspected and monitored by the Texas Department of Family and Protective Services (DFPS) to ensure providers follow state and federal laws and provisions.

1. **Soliciting Vendors**

We have openings for early education and childcare vendors on an ongoing basis. Please review the Childcare Vendor Handbook for details on the requirements to become a vendor with Workforce Solutions. These requirements apply to both, regulated vendors and listed (relative) vendors. Interested vendors are directed to call the Workforce Solutions Financial Aid Payment Office (Payment Office) at 888-469-5627 (select option 2 for vendors) or send an email to fa.office@wrksolutions.com.

1. **Eligibility Requirements**

Early education and childcare vendors must meet the applicable criteria to be eligible to receive payment for childcare services.

1. Regulated vendors must:
* Be licensed or registered with the Texas Department of Family and Protective Services or monitored by the United States Military;
* Have a copy of their childcare license or permit and current published rates for services available to the public; and
* Not have existing overpayments owed to Workforce Solutions.
1. Listed (Relative) vendors must:
* Be a grandparent, great-grandparent, aunt, uncle or a sibling of the child and over 18 years of age;
* Have a certification of relationship form signed by the parent;
* Maintain a separate residence from the family receiving childcare financial aid; and
* Be listed with DFPS and maintain their listing status.
1. **Documentation Requirements**

Childcare vendors are required to submit the following documentation before being reimbursed for childcare services:

* A valid email address to receive and send correspondence
* A copy of the vendor’s published childcare rates for regulated vendors; listed (relative) vendors are paid the state’s maximum rate;
* A copy of the license or permit from the Texas Department of Family and Protective Services for regulated vendors;
* A copy of the notification of listing from the Texas Department of Family and Protective Services for relative vendors;
* A copy of the vendor’s driver’s license or other picture ID for home-based vendors; may apply to regulated and listed vendors;
* A copy of the vendor’s social security card or proof of their Employer Identification Number (EIN); and
* A copy of a voided check or bank letter with the account and routing number for direct deposit.

Once a vendor submits all documentation, it usually takes up to 14 days to complete the enrollment process. During the process, a Vendor Service Representative from the Payment Office will contact the vendor to discuss the handbook, reporting requirements and the need to keep all documentation up to date.

After the Vendor Service Representative reviews the documentation, they will provide the following documents to the vendor for signature:

* A Workforce Solutions Vendor Rate Schedule (agreement); must be signed by both parties, the vendor and a Vendor Service Representative;
* An IRS Form W-9;
* A Direct Deposit form;
* A Holiday form;
* An Authorized Representative form, if applicable; and
* A Security Agreement, if applicable.
1. **Evaluating Vendor Performance**

Workforce Solutions conducts both announced and unannounced site visits of all childcare vendors. Workforce Solutions will review vendor documents and licensing websites to ensure compliance.

Vendors must keep all documents current to remain a part of the Workforce Solutions Vendor Network. See Childcare Vendor Handbook for more information on the vendor’s ongoing eligibility and procedures on corrective actions.

1. **First Referral Site Visits (Announced)**
	* First referral site visits are scheduled for newly set-up vendors who have received their first referral from Workforce Solutions within 30 days. The visit will consist of a review of all Workforce Solutions policies and guidelines;
	* Training on Workforce Solutions databases; and
	* An opportunity for vendors to discuss any issues or concerns regarding Workforce Solutions processes and procedures.
2. **Unannounced Site Visit**

Unannounced visits occur randomly to verify adherence to Workforce Solutions policies. During the visit, the Workforce Solutions representative will provide technical assistance and answer any questions. The owner or director must be available to discuss their responsibilities as a Workforce Solutions vendor.

Both types of visits are mandatory for childcare vendors. If vendors refuse Workforce Solutions access to their facility to perform any type of visit, it could result in the removal of all Workforce Solutions funded children and termination of the Vendor Agreement.

# IV. Education and Training Vendors

Individuals who receive education and training support from Workforce Solutions must use an approved training vendor and choose a program from our Education and Training Vendor Network. Vendors may be:

* an institution of higher education providing a program that leads to a recognized postsecondary credential;
* an entity that provides Registered Apprenticeship training;
* a public or private training provider, which may include community-based organizations, joint labor-management organizations, and providers of Adult Education and Literacy (AEL) activities under Title II, if AEL training services are provided concurrently or in combination with occupational skills training, on-the-job training, or incumbent worker training; or
* unregulated (exempt) training providers.
1. **Types of Vendors**
2. **Basic Skills** – skills that generally equip customers with the ability and understanding necessary to enter the workforce and be an active participant in work across a variety of occupations such as:
* Computer skills training - programs that teach customers non-job specific computer skills from introductory courses on how to use a computer to specific software products as the Microsoft Office Suite;
* Adult basic education - programs that teach individuals basic literacy, high school equivalency preparation, or teach them how to speak, read or write English; and
* Job readiness skills training - programs that teach customers non-technical skills and how to function in different work environments. Employers who have a need for job readiness training will notify Workforce Solutions. Once the request is approved, Workforce Solutions reviews the list of approved vendors to meet the employer’s need.
1. **Career Training** – courses or programs that prepare individuals for specific occupations. Programs must award a competency-based credential such as a certificate or degree. Examples of career training education are Registered Nursing, Welding, and Petroleum Engineering. We will only approve career training programs that prepare individuals for employment in occupations on the Workforce Solutions [High-Skill, High-Growth Occupations List](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/High-Skill_High-Growth_Occupations.docx).
2. **Career Advancement Training** – consists of short-duration workshops, seminars, or courses that equip customers with industry-recognized certifications and/or build on existing skills related to one of the Board's [High-Skill, High-Growth Occupations](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/High-Skill_High-Growth_Occupations.docx). Career advancement training may include testing/assessment to demonstrate competency and may also include training to allow an individual to transition existing skills from one occupation or industry to another. Examples of career advancement training include SAP training, additional welding training (MIG, TIG, Fluxcore, etc.), and Network + training.
3. **Soliciting Vendors**

We solicit education and training vendors to fill specific gaps in our current training offerings identified as a part of our work with the region’s employers. We promote the addition of vendors to our network through the following methods:

* Publicizing education and training vendor opportunities on our website [www.wrksolutions.com](http://www.wrksolutions.com);
* Soliciting vendors for specific needs related to a particular industry, occupation, or geographic location;
* Career Office staff may make requests to the Payment Office for a vendor not listed in the Education and Training Vendor Network; and
* We accept open applications from vendors at any time for basic skills training, career training for occupations on the High-Skill, High-Growth Occupations list, and career advancement training related to the High-Skill, High-Growth Occupations list.

At least once every year, we look at the vendors on our list and assess the availability of training in our three categories to ensure we have enough choices for customers.

1. **Vendor Application Process**

There are two different applications for education and training vendors:

1. **Basic Skills** vendors apply using the [Basic Skills Training Application](http://www.wrksolutions.com/Documents/About/vendorapplicationinstructions/Basic-Skills-Training-Vendor-Application.doc).

Training providers interested in becoming a vendor with the Gulf Coast Workforce Board should visit the wrksolutions.com website under the [Become a Vendor Page.](https://www.wrksolutions.com/about-us/business-opportunities/become-a-vendor) They may also contact the Payment Office at wfvendor@wrksolutions.com or 713-975-7409 option 4, to request and submit their application.

Once the Basic Skills Application and supporting documentation are received, the Payment Office will review the application. The review process may take up to 30 days.

Once the application is approved, the Payment Office will contact the vendor to sign a vendor agreement and complete a W-9 Form. A site visit is also scheduled to review compliance with the Americans with Disabilities Act (ADA) and to ensure there is proper training equipment at the facility, related to the programs/courses being taught.

Approved basic education programs are listed on our website: <http://legacy.wrksolutions.com/aid/basic-Training-Provider-Network-Results.aspx>.

If we deny an application, we will provide the applicant vendor with a written description of the denial and an explanation of the vendor’s right to appeal the determination (see [Appeals](#_XII._Appeals)).

1. **Career Training and Career Advancement Training** vendors apply using the Texas Workforce Commission’s (TWC) [Board Tool](https://www.twc.texas.gov/files/partners/board-initial-training-provider-tool-twc.xlsx) to be listed on the Eligible Training Provider List (ETPL).

There is a two-step application process for career training and career advancement vendor applicants:

1. The vendor must have a training campus in our region and provide their regulation status and evidence of partnerships with local employers associated with the program(s) they are submitting for approval. They must then complete the Board Tool (application) and submit the state required documents to the Payment Office at wfvendor@wrksolutions.com. (Vendor training programs must fall within the State Targeted Occupations List.) These requirements must be met, or the application cannot be submitted to the Texas Workforce Commission Eligible Training Provider Helpdesk (ETP Helpdesk).

Once the program is submitted to the ETP Helpdesk by the Payment Office, the training provider will receive a student data report request from the ETP Helpdesk and will need to follow the instructions provided to submit the student data report to the ETP Helpdesk. This information is needed for the application to be approved. The process typically takes between two and six weeks, depending on the amount of information provided and the accuracy of the information. If approved, TWC will add the training vendor to the Eligible Training Provider List (ETPL).

1. While the vendor is going through the TWC ETPL approval process, the Payment Office will review the application to ensure the program can be tied to one of the Gulf Coast region’s high-skill, high-growth occupations. We will then review the supporting documentation and schedule a site visit to review ADA compliance and to ensure proper training equipment is at the facility, related to the courses/programs being taught. The review process may take up to 30 days.

Once the application is approved, the Payment Office will contact the vendor to sign a vendor agreement and complete a W-9 Form.

All approved vendor programs are added to the Gulf Coast Workforce Board Education and Training Vendor Network in the Financial Aid Management System (FAMS) and should be categorized as either career training and/or career advancement training. If we deny an application, we will provide the applicant vendor with a written description of the denial and an explanation of the vendor’s right to appeal the determination (see [Appeals](#_Appeals)). Vendors who are denied will be inactivated in FAMS.

1. **Eligibility Requirements**

Education and training vendors must meet the following criteria for eligibility:

* Vendors must be regulated or exempt (unregulated) by TWC;
* Vendors must have been providing education and training services for at least one year;
* Vendors, except for public colleges and universities, must provide proof of financial stability. Vendors cannot solely rely on funds from Workforce Solutions;
* Vendors must have ADA-compliant facilities including equipment, textbooks, and software that provide reasonable accommodations for students with disabilities, where applicable;
* Vendors must provide all required documentation (see Documentation Requirements below).
* Career training programs must prepare individuals for occupations listed on the High- Skill, High-Growth Occupations list, and/or
* Career advancement training programs must build on existing skills and experience related to occupations on the High- Skill, High- Growth Occupations list.
1. **Documentation Requirements**
2. **Regulation Status:** All vendors must either be (1) licensed or approved by an applicable education regulating body such as, but not limited to, the Texas Education Agency (TEA), Texas Higher Education Coordinating Board (THECB), Texas Workforce Commission Career Schools (TWC), or (2) provide an exemption letter from TWC Career Schools (unregulated vendors).
3. **Course Catalog and Curriculum:** We require vendors to have a published catalog that describes their courses, programs, services, costs to students, refund and attendance policies, and the criteria used to determine if students have successfully completed (graduated) the program. Unregulated vendors must provide us with a written copy of curricula.
4. **Pricing Information:** We pay the publicly advertised or published rate charged to any customer taking the course. We will not pay for services that are free to the public or for non-Workforce Solutions customers. Financial assistance for individuals is subject to Workforce Solutions funding limits.
5. **Facility and Equipment Details:** Vendors must have ADA-compliant facilities including equipment, textbooks, and software that provide reasonable accommodations for students with disabilities (this is only applicable to in-person training vendors). Unregulated vendors must own or lease the proposed training facility or have an agreement with the organization that does.

Payment Office staff must visit the site to verify compliance if students are provided training at the facility.

1. **Financial Stability:** Vendors, except for public colleges and universities, must provide [evidence of financial stability](https://www.wrksolutions.com/Documents/Staff/financial_aid_letters_forms/FAPO-Financial-Stability-Guidelines.docx) prepared by a Certified Public Accountant. Vendors cannot solely rely on funds from Workforce Solutions. Required documentation:
2. For a Sole Proprietorship, vendors must submit item i. AND item ii. or iii.

Include name of owner of record and copy of DBA, if applicable AND

IRS Form 1040 for the most recent year OR

An audited balance sheet and income statement, or audit for the most recent year.

1. For a Partnership or Corporation (for-profit entity), submit item i. AND item ii. or iii.
2. A copy of the Articles of Incorporation or Partnership agreement and DBA, if applicable AND
3. IRS Form 1065 (Partnerships) for the most recent year OR
4. An audited balance sheet and income statement, or audit for the most recent reporting period.
5. For a Non-Profit organization, submit item i. AND item ii, iii, and iv.
6. IRS Tax exemption certificate (a copy of 501(C) 3) AND
7. An A133 audit OR
8. A copy of IRS Form 990 (most recent year’s) OR
9. An audited balance sheet and financial / income statement for the most recent reporting period.
10. **Record of Performance:** Vendors must have been providing education and training services for at least one year and be able to provide proof. We will not approve start-up organizations. Vendors, except for colleges and universities, must have operated new programs for a minimum of one year before requesting to provide training for customers. We require vendors to submit performance information every year for their programs.
11. **Instructor Credentials:** We ask unregulated vendors to provide information about the credentials and experience of the instructors who will be providing service such as resumes and curriculum vitae.
12. **Letter of Support (only applies to Career and Career Advancement vendors):** Documentation of partnerships with employers related to the training programs by submission of: a letter of support from a local employer or employers; evidence of the existence of an employer‐based advisory committee; or other means that your Board(s) adopted in a public meeting. Letters of support must be dated within the prior two years.

For example: An employer that is not affiliated with the vendor who has hired graduates from the program and/or is willing to hire students upon completion.

1. **Renewal Process**
2. Basic Skills vendors must renew programs annually by submitting a new application and required supporting documentation. Vendor agreements are renewed every three years except for new vendors; new vendors are given a one-year contract.

Upon receipt of a new application and required supporting documentation, staff will review and determine the vendor’s continued approval.

1. Career training and career advancement vendors must submit their annual Student Data Report (SDR) to the ETP Helpdesk to keep their program active on the ETPL. If vendors are removed from the ETPL, Workforce Solutions career office staff work with customers to make other education and training arrangements.

Staff must review new career training and career advancement vendors following year’s one, two and three; and may move to an every two year review after year three to determine a vendor’s continued approval. Workforce Solutions staff will make sure vendor and programs:

* Are on the ETPL and on the Board's [High-Skill, High-Growth Occupations](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/High-Skill_High-Growth_Occupations.docx).; AND
* Have not changed since the initial approval or last update. If changes were made, staff may conduct a site visit and/or a financial stability review.
1. **Vendor Performance**
2. **Basic Skills**

We gather performance information regarding attained credential and completion rate (at least 60% of students attain a credential or complete training).

1. **Career Training and Career Advancement Training**

We review performance information regarding:

1. Attained Credential Rate (at least 60% of students attain a credential)
2. Entered Employment Rate (at least 60% of students get a job after training)
3. Average Hourly Wage at Placement (student earnings must be at least 80% of the statewide average entry-level hourly wage for the occupation)

Vendors must submit the required program and student information, including information for calculating a program’s performance outcomes, as requested by TWC annually. Failure to submit the required information by the annual deadline may result in the removal of the training program(s) from the statewide ETPL. Vendors who are unable to submit the required information before the annual reporting deadline, may request an extension or exemption within 30 days of the occurrence reason, but no later than the required reporting deadline. See Removal of Programs for more information.

Workforce Solutions may survey our customers who have used basic skills, career training or career advancement training vendors and ask for feedback on the vendors and their programs. If feedback is not favorable, this may prompt a site visit to investigate complaints. If two or more written valid complaints against a vendor are received within a six-month period, Workforce Solutions may take action to remove the vendor from the Education and Training Vendor Network. See [Section XI. Removing Programs and Vendors.](#_XI._Removing_Programs)

Workforce Solutions will review any changes to location, curriculum, or staff annually and visit sites every two years unless it is the first or second year as a vendor. We will also review the vendor’s financial stability and ADA compliance, where applicable.

1. **Out-of-Region Vendors**

Workforce Solutions Gulf Coast first uses vendors within our region to provide financial support for customers. In extraordinary circumstances, a customer may request to attend a training from an out-of-region vendor. If a customer requests to attend a training from an out-of-region vendor, staff must:

1. Look to see if the training is listed on the High-Skill High-Growth Occupations list;
2. Determine whether we have approved vendors offering the requested training program on the ETPL, and if so, refer the customer to that vendor;
3. The Payment Office must reach out to the out-of-region vendor to follow the procedure for adding the requested training program to the Gulf Coast Workforce Board Training Provider Network.

Before beginning the process with an out-of-region vendor, the Payment Office must verify the requested training program is listed on the statewide ETPL and notify the designated Board staff to request consideration and approval.

Note: We are currently not providing support to vendors outside of Texas.

1. **Online Vendors**

Workforce Solutions allows online training programs offered by approved vendors in our Vendor Network, who were previously providing on-site instruction.

We consider online programs for new vendors during exigent circumstances, i.e. disasters, National Dislocated Worker (NDW) grants, and when in the best interest of the customer. During these circumstances, the contractor should contact Board staff for clarification.

Vendors offering online programs must follow Workforce Solutions’ current application process for education and training vendors. Vendors that provide training programs leading to occupations that require supervised training hours must provide us with a copy of their training plan prior to review.

# V. Project-Based Vendors

1. **Soliciting Vendors**

We solicit vendors to fill specific gaps in our current education and training offerings, identified as part of a special project. Vendors must have been providing education and training services for at least one year, and we may ask for proof, including performance information. We will not approve start-up organizations defined as any business that has been providing services for less than one year.

We may promote the addition of project-based vendors to our network through any of the following methods:

* When we respond to grants, we may include a vendor as part of the scope of work. When this is done, the vendor is grandfathered in for the vendor process.
* Publicizing vendor opportunities on our website: <http://wrksolutions.com>; and
* Soliciting vendors for specific needs related to a particular industry, occupation, geographic location, disaster or project identified to support individuals entering training for employment opportunities.

Payment Office staff will offer technical assistance to vendors wishing to apply to be part of the network.

1. **Vendor Application Process**

To apply, vendors must use the appropriate application for the grant or project. This will be provided to the vendor on an individual basis.

1. **Application Review**

The Payment Office processes and approves or denies vendor applications within **30** days.

Once an application is approved, the Payment Office will contact the vendor to sign a vendor agreement. All approved vendor programs are listed on our vendor list for the duration of the project, to provide easy access to approved programs and providers. The vendor list will be maintained on SharePoint and updated annually.

If we deny an application, we will provide the applicant vendor with a written description of the denial and an explanation of the vendor’s right to appeal the determination (see [Appeals](#_Appeals)).

1. **Evaluating Vendor Performance**

We evaluate vendors by requesting and reviewing performance information related to the project to make sure customers are securing employment. In addition, we may visit vendors periodically to monitor performance, payment arrangements, and training delivery.

Occasionally, we may also survey our customers for feedback on the vendors and their programs related to the project.

# VI. Talent Development Vendors

Workforce Solutions Talent Development provides employment service strategies to increase the competitiveness and stability of employers in our region. Workforce Solutions Talent Development responds to the needs of employers and may help employers structure training for new workers, or train and upskill current workers. Once a project is submitted and approved by both the Board and TWC, Talent Development Staff and the payment office must meet and discuss the process for payment. Not all training provided will be listed on the ETPL and may not need the review of a training provider vendor. An MOU or agreement between Workforce Solutions and the Training Vendor may be required in some cases.

Employers interested in receiving assistance from Workforce Solutions are usually recruited by Workforce Solutions Talent Development or may initiate contact with Workforce Solutions Talent Development. Employers may also visit our website, [[www.wrksolutions.com](http://www.wrksolutions.com)](http://www.wrksolutions.com) and contact the Payment Office. Workforce Solutions Talent Development and the Payment Office help employers complete the application process to be listed as an approved vendor in our network and/or on the statewide ETPL, if applicable.

1. **Types of Vendors for Talent Development**
	* Employers
	* Community College, Private Educational Institute or Organization, University, Technical or Trade School or Joint Apprenticeship Training Committee or Registered Apprenticeship Sponsor
2. **Types of Training & Eligibility Requirements**
3. ***New Worker Custom*** training is provided through a partnership between Workforce Solutions Talent Development and the employer. Workforce Solutions can help pay a portion of the cost of training needed by employers for new workers, once these individuals have been screened and determined eligible for Workforce Solutions funding. Workforce Solutions helps to develop curriculum and select a training provider, if the employer requests or if the employer will not be the training provider.
4. ***Current Worker*** training is provided through a partnership between the employer and Workforce Solutions Talent Development. Workforce Solutions can help pay for training needed by employers in the Gulf Coast region’s target industries. See the [Talent Development Standards & Guidelines](http://www.wrksolutions.com/Documents/Staff/Talent-Development-SG/Talent-Development-Standards-and-Guidelines.docx) for additional criteria that must be met by employers. Employers choose the workers who will participate in the training program, as well as the training provider. Workforce Solutions pays for the cost of training and can help in selecting a training provider, if requested.

New Worker Custom and Current Worker training providers are not required to be listed on the ETPL. Staff from Talent Development screens the employers and training programs and sends a message to the Payment Office through the Financial Aid Communication System (FACS) to add the employer/training provider to be eligible for Workforce Solutions payments.

Based on new guidance from TWC, **15-20 WD Letter**. Employers in the Public Sector are **not eligible** to receive services that require Workforce Solutions funding for Customized Training or Current/Incumbent Worker Training. Employers in the public sector are, however, eligible for Work Based Learning and On the Job Training funding.

1. ***On-the-Job Training (OJT)*** is a training option that provides employers the opportunity to train new employees (trainees) on the specific knowledge or skills essential to the full and adequate performance of the job. OJT opportunities are formed through a contractual agreement between the employer and Workforce Solutions. Workforce Solutions provides the employer with a partial wage reimbursement for approved trainees. See the [Talent Development Standards & Guidelines](http://www.wrksolutions.com/Documents/Staff/Talent-Development-SG/Talent-Development-Standards-and-Guidelines.docx) for how this rate is determined. The trainees begin their OJT as full-time employees of the company and have the opportunity for long-term employment (directly hired by the company) upon completion of the OJT.

On the job training employers are not required to be listed on the ETPL. On-the-job training vendors become eligible once Workforce Solutions Talent Development approves the on-the-job training questionnaire and OJT agreement. The Payment Office will receive a copy of the two items listed. Talent Development staff will request a new vendor setup in FACS to the Payment Office, which includes the vendor information:

* Name
* tax ID
* agreement date and
* supporting documentation, that may include Pre-apprenticeship or Registered Apprenticeship documents
1. ***Pre-apprenticeship*** is a program or set of strategies designed to prepare individuals for entry into Registered Apprenticeship Programs (RAP) or other job opportunities. Pre-apprenticeships may last a few weeks to a few months and may or may not include wages or stipends. Pre-apprenticeship programs are not required to be listed on the statewide Eligible Training Provider List. Pre-apprenticeship vendors can be an employer or a private or public training institution.

Pre-apprenticeship training programs that are directly connected to the High-Skill High-Growth list may apply to be included on the ETPL. Vendors must follow the same application process as education and training vendors to have their training program listed on the ETPL. Additionally, vendors will be screened by the Payment Office and are required to:

* Provide the name of the employer(s) and RAP associated with their pre-apprenticeship;
* Request documentation from Talent Development that verifies the relationship between the Pre-apprenticeship and the RAP.
* Have been in operation for at least one year;
* Demonstrate they are financially stable and provide evidence of financial stability prepared by a Certified Public Accountant. Vendors must not solely rely on funds from Workforce Solutions.
* Provide information in the letter of support that upon graduation, the students will be considered for enrollment in a Registered Apprenticeship Program; or
* Pre-apprenticeship will lead to an occupation on the HS/HG list

**Note:** Cost for the training for someone enrolled in a pre-apprenticeship program may be paid for if the training is listed on the HSHG or leads directly into a Registered Apprenticeship Program; and the individual meets the funding requirements.

1. ***Registered apprenticeship*** programs train individuals for jobs through an apprentice system at a specific employer or union. Registered apprenticeships have structured and federally approved curricula with required on-the-job training and classroom education components leading to skills milestones. The registered apprenticeship program and/or sponsor is responsible for providing the on-the-job training component. The program or sponsor is responsible for selecting the classroom training provider.

Registered Apprenticeship programs have automatic eligibility for the ETPL, but are not automatically enrolled onto the ETPL. The selected classroom training provider (including when it is the registered apprenticeship program or sponsor) must be registered on the statewide Eligible Training Provider List and an approved vendor for the Gulf Coast region.

The Financial Aid Payment Office will assist the vendor by introducing them to the TWC helpdesk for assistance. Vendors must also be screened and approved by the Payment Office to be listed in the Gulf Coast Workforce Board Vendor Network.

Registered Apprenticeship programs are not required to be on the High-Skill, High-Growth Occupations list, but will need to:

* Provide confirmation of their Registered Apprenticeship Program by:
* standards of apprenticeship approved by the Department of Labor (DOL) or
* DOL Certificate of Approval
* Have been in operation for at least one year; and
* Demonstrate they are financially stable and provide evidence of financial stability prepared by a Certified Public Accountant. Vendors must not solely rely on funds from Workforce Solutions.

When we approve pre-apprenticeship and registered apprenticeship vendors, they are added to the Gulf Coast Workforce Board Education and Training Vendor Network in FAMS. If we deny an application, we will provide the applicant vendor with a written description of the denial and an explanation of the vendor’s right to appeal the determination (see Appeals).

1. **Procedures**
2. **Talent Development** will:
* Vet Pre-Apprenticeship/ Registered Apprenticeship vendors by reviewing the following:
	+ - Confirm the Pre-Apprenticeship or Registered Apprenticeship program by collecting Standards of Apprenticeship or DOL certificate
		- Collect the training curriculum
		- Collect resumes from the instructors to confirm the Vendor has qualified staff that can deliver the training
		- The Vendor must provide names of the employer(s) that will hire the apprentices. Registered Apprenticeship vendors must also provide an Appendix D (singular sponsor) or E (applies to consortium-based RA programs) for every employer.
		- Talent Development will speak with the employer (s) and confirm that the employer is committed to hiring the apprentices upon graduation of the pre-apprenticeship. If a Registered Apprenticeship, they will employ on or before the start of training.
		- Talent Development, in addition to having a conversation, will collect a letter of commitment/support from the employers.
* Once **Talent Development** has conducted the vetting above, Talent Development will email the designated Board Staff summarizing the type of project (pre or registered apprenticeship), type of training, confirm vetting has been conducted and documents have been collected, projected start date, and the salary the employer will pay the apprentices.
1. **Board Staff** will respond within 48-hours with either follow-up questions, approval or denial.
2. If approved, **Talent Development** will:
* email FAPO designated staff, the DOL documents, type of program, appendix D or E (if applicable), letters of support, instructor resumes;
* confirm that the employer has been vetted and is ready to proceed with vendor registration, and
* will make a warm introduction to the Vendor.
1. **The Financial Aid Payment Office (FAPO)** will assist the Vendor with:
* Completing a vendor application, including but not limited to the Board Tool,
* Request any or all documents based on the regular vendor process, which should include a site visit, finances, and any other documents that will pertinent to approving this Vendor. Pre-Apprenticeships and Registered Apprenticeships are not required to provide course catalogs or pricing information. Information on hours per module is included in Appendix A.
* Once all the documents on the list have been received and approved, FAPO should proceed with getting the vendor added to the TWC ETPL (if they haven’t spoken to them already) and will [cc: Board Staff] when emailing the help desk
* Once added to the ETPL, The Financial Aid Payment Office will begin the Board Pre-Apprenticeship / Registered Apprenticeship approval process and proceed with the vendor agreement.

Monitoring these vendors will be the role and responsibility of the Financial Aid Payment Office directly. FAPO will follow the same process of monitoring these vendors as they do all vendors in our system.

Once the employer has been added to the ETPL and has been approved to be part of our Vendor Network, FAPO will email Talent Development & cc: Board Staff informing them of the Approval.

# VII. Work and Education Support Services Vendors

Work and education support vendors provide services to help our customers obtain and maintain employment or attend an educational or training program.

1. **Soliciting Vendors**

Providers are organized into three different categories: financial assistance, translation and interpretation, and job skills coaching.

We promote the addition of work and education support vendors to our network through the following methods:

* Publicizing vendor opportunities on our website [http://wrksolutions.com](http://wrksolutions.com/);
* Soliciting vendors for specific work and education support needs;
* Career Office staff may make requests to the Payment Office for a vendor not already listed; and
* Accepting open applications from vendors at any time.

Payment Office staff will offer technical assistance to vendors wishing to apply to be part of the network.

1. **Application Process**

To initiate the application process, vendors must select the appropriate application. We have two different applications for work and education support vendors:

* The [Work and Education Support Service Application](http://www.wrksolutions.com/Documents/About/vendorapplicationinstructions/Work-and-or-Education-Support-Service-Vendor-Application.doc) is for financial assistance and translation and interpretation vendors;
* The [Job Coach Vendor Application](http://www.wrksolutions.com/Documents/About/vendorapplicationinstructions/Job-Coach-Vendor-Application.docx) is for job skills coaching vendors.

Interested vendors should visit the wrksolutions.com website under the

[Become a Vendor](https://www.wrksolutions.com/about-us/business-opportunities/become-a-vendor#_Work_and_Education) page, complete the appropriate application, and submit the required documents to the Payment Office at wfvendor@wrksolutions.com.

The Work and/or Education Support Service Application is **not** required in the following circumstances (noncompetitive or sole-source proposal). Please see the Financial Aid Manual for Grants and Contracts @ [https://www.twc.texas.gov/financial-manual-grants-contracts-chapter-14-procurement](https://www.twc.texas.gov/financial-manual-grants-contracts-chapter-14-procurement%20%20)

1. **Reimbursements** directly to a customer for support services approved by Workforce Solutions Career Office management or the Board. The Payment Office will verify management approval in TWIST case notes or request approval from the Board in writing.
2. **Direct Payments** to vendors who do not agree to enter into a direct agreement for the provision of support services, i.e. vendors will not accept payment via Workforce Solutions Vouchers **or** approvedpayments to vendors for customers’ bills or expenses.
3. **Employer or training provider mandates** the purchase of specific or exact support services that can only be purchased from a specific vendor (must notate in the system of record the mandate of purchasing specific or exact goods or services).
4. **Support services that provide the greatest ease of access** to customers (must notate the method of procurement and include brief details regarding the ease of access justification).
5. **Directed by the Texas Workforce Commission or the Board** to provide support services from a specific vendor. The Payment Office will request approval from Texas Workforce Commission or the Board in writing and retain written approval in the system of record.
6. **Procurement of Support Services**

Career Offices are encouraged to identify vendors who are willing to enter into direct agreements for the provision of support services and provide the name of the vendor to the Payment Office. This process eliminates the need for customers to use their own funds for purchases and streamlines the support services process to ensure a timely turnaround. To set up a vendor agreement, the vendor procurement process must be followed.

The Payment Office will follow TWC’s procurement standards and requirements when procuring support services for eligible customers, as outlined in TWC’s *Financial Manual for Grants and Contracts – Supplement on Procurement*.

The Payment Office will verify all requests for support services are reasonable, necessary, and allowable, including cost reasonableness, and will notate in the system of record.

To determine the method of procurement, we determine the aggregate cost. The aggregate cost for purchases made under a signed agreement means the cumulative purchase total for the life of the contract, not to exceed five years. Procurements are determined as follows:

1. **Micro-Purchase**
* *Below $10,000*
* Micro-purchases may be awarded without soliciting competitive quotations. If we are unable to determine reasonableness without obtaining the quotations, we will request them.
1. **Small Purchase RFQ**
* *$10,000 - $149,999.99*
* Where feasible, the Payment Office will obtain a minimum of three price or rate quotations and document them on the Competitive Quote Summary. In the event a minimum of three are not obtained, unsuccessful attempts will be documented on the Competitive Quote Summary.
1. **Competitive Bid or Proposal (RFP)**
* *$150,000 and above*
* Payment Office initiates the request through their Procurement Department.

FAPO will not process support service requests or enter into direct agreements with vendors for the provision of support services that cannot be verified as reasonable, necessary, and allowable or that have not been properly procured.

1. **Eligibility Requirements**

Eligibility requirements vary based on the type of work and education support vendor. All vendors must be proficient in their areas of support, have provided these services for at least one year, and provide service within our 13-county region.

1. **Application Review**

The Payment Office will approve or deny Work and Education Vendor applications. Vendors must meet all requirements and provide supporting documentation as listed on the application. The review process may take up to 60 days. Notify Board staff when a review is expected to exceed 60 days.

Once an application has been approved and the contract has been awarded to a vendor, the Payment Office will contact the vendor to sign a vendor agreement. The initial agreement (contract) is for one year.

If an application is denied and the contract is not awarded, the Payment Office will provide the applicant vendor with a written description of the denial and an explanation of the vendor’s right to appeal the determination (see [Appeals](#_Appeals)).

1. **Documentation Requirements**

If an application is required, the application must be thoroughly filled out and submitted along with a completed W-9. The W-9 is used to establish a legal business, tax classification and TIN as listed with the IRS. The following information must be included in the application:

1. **Business Information:** The legal business name, DBA (if applicable), addresses, business and alternate phone numbers, and secondary contact person’s information, type of entity.
2. **Business Type/Classification (if applicable):** We promote full and equal procurement opportunities for all types of businesses. Vendors who may be a small, disadvantaged, or minority business should note this on the application and submit a copy of their certification with their application.
3. **Proposed Service Information:** Type of service, targeted customer population, service region (counties), service description, and description of equipment/facilities used. Attachments may be provided if necessary.
4. **Price Information**: Vendors should provide pricing on a per unit basis so that Workforce Solutions can authorize individual levels of service per customer. Workforce Solutions will pay the publicly advertised (published) rate charged to any customer receiving services from the vendor. Workforce Solutions will not pay for services that are free to the public or for non-Workforce Solutions customers.
5. **Vendor Qualifications/Experience**: Organizations seeking to be a part of our Vendor Network are required to provide proof they have the capacity to provide the services on the application and that they have been providing similar services for at least one year. All vendors must have a record of at least one year providing services prior to applying. We will not approve start-up organizations.
6. **References:** name, contact information, and relationship to the vendor for at least three references.
7. Vendors who fall under Talent Development—the Payment Office will conduct an IRS verification. If the employer’s information is not a match with the IRS database, the Payment Office will notify Talent Development to request update/correct information from the employer.
8. **Tracking Expenses**

The Payment Office will track and monitor actual cumulative expenses for procured support services vendors based on contract or agreement dates to identify if re-procurement is required.

The Payment Office will maintain a listing of direct agreements with vendors for

the provision of support services identifying the following information:

1. Vendor name, location(s) and contact information
2. Types of support services provided
3. Vendor agreement or contract dates
4. Payment system utilized (i.e. Workforce Solutions vouchers or direct vendor payment/check request)
5. **Renewal Process**

The payment office must review vendors annually to determine whether a procurement is necessary for all vendors in the network. Workforce Solutions will evaluate the usefulness and cost efficiency of the services provided by the vendor. Upon this review, services may be removed from the approved list if they do not meet the current needs of Workforce Solutions customers.

Vendor agreements must be reviewed annually and renewed according to the contract/agreement. Job Coach Vendors must submit a new application every year

1. **Evaluating Vendor Performance**

We evaluate education and work support vendors by compiling feedback from our customers. If feedback is not favorable, this may prompt a site visit to investigate complaints. If two or more written valid complaints against a vendor are received within a six months period, Workforce Solutions may take action to remove the vendor from our list. See [Complaints Against a Vendor below](#_X._Complaints).

# VIII. Trade Adjustment Assistance Vendors

Trade Adjustment Assistance vendors include education and training providers that may or may not be listed on the ETPL or may already be set up as a vendor with Workforce Solutions. Please refer to the [TAA Standards and Guidelines](https://www.wrksolutions.com/Documents/Staff/tradeact/Trade_Act_Procedures.docx) for additional information on Training Approval Criteria applicable to Trade Affected customers. The following criteria apply to the selection and approval of TAA Vendors:

* + TAA Vendors may be selected within the “local commuting area” of 25 miles from the customer’s residence to the training site.
	+ Vendors may not be approved under TAA unless the proposed training is available at a “reasonable cost.” Costs of a training program include tuition and related expenses (books, tools, and academic fees) and transportation and/or subsistence expenses, when the training is conducted outside the worker’s commuting area. TWC has established a reasonable cost of training standard threshold at $25,000.
	+ Training should be reasonably available from a private or public school regulated by a state agency. To determine if the school is regulated by a state agency, look for the school listed on one of these websites:
* [Texas Higher Education Coordinating Board – Data:](http://www.txhighereddata.org/Interactive/Institutions.cfm)
* [Texas Workforce Commission - Career Schools and Colleges](http://www.twc.state.tx.us/jobseekers/career-schools-colleges-students#selectingACareerSchoolOrCollege)

## *TAA funds are not restricted to the High Skill, High Growth Occupations and the Eligible Training Provider’s List.*

## Note: If there is an extenuating circumstance warranting consideration for a training program that is out of region or out of state, staff in the career office must submit a recommendation for approval to TAA Merit Staff at the Support Center before a program can be approved. Merit staff will work with Board Service Strategies at TWC for final approval. All actions must be documented in a TWIST Counselor Note.

For example: A customer is interested in a training program that is not offered in the Gulf Coast region or in the state of Texas.

## Adding TAA Vendors to Gulf Coast Workforce Board Training Vendor Network

The Payment Office will usually receive a TAA vendor set up request from the career offices or from TWC Merit Staff at the Financial Aid Support Center. Most TAA vendors are listed on the ETPL or set up as a vendor of Workforce Solutions. If a vendor is not listed, the Payment Office will send them information about being a part of Workforce Solutions’ Training Vendor Network and have them complete and sign the TAA Vendor Agreement, W-9 form and direct deposit form. If a vendor does not want to be listed with the Workforce Solutions Training Vendor Network, the vendor must complete a W-9 form and submit an invoice to receive payment.

# IX. Vendor Payments

1. **Payments**

Workforce Solutions will not pay more than the cap limit per customer. Similarly, we will not pay more than a vendor’s advertised price. Furthermore, we will work with customers to identify quality, cost-effective options, including free education and training, when available. For services provided over more than one semester, vendors must provide the price for each semester. When vetting is done, the payment office receives a copy of the cost of training for the public to make sure we are not paying more than the advertised price.

1. **Debarment and Disallowed Costs**

We do not refer new customers to existing vendors if the vendor is debarred or repaying disallowed costs to any state or federal agency, including Workforce Solutions. Vendors must be in a positive status and/or have fully repaid disallowed costs before being added to our vendor network or receiving customer referrals**.**

1. **Recoupment**

Approved vendors who are paid while not eligible or receive overpayments from Workforce Solutions must agree to a repayment plan or we will discontinue all new referrals. Continued non-payment may result in removal from our vendor network and potential collection and/or legal actions.

# X. Complaints

1. **Complaints Against a Vendor**

To ensure we provide high quality services to our customers, Workforce Solutions has a Vendor Complaint Process. Any customer, Workforce Solutions staff member, or an interested or affected individual may file a complaint, at any time, about services received from Workforce Solutions approved vendors.

We ask that all complaints about vendors be submitted in writing and, at a minimum, include the following information:

* The name of the vendor, physical and mailing address, telephone number
* The name of the program or service received from the vendor
* Contact information – phone number, mailing and – of the person filing the complaint
* A detailed description of the problem or issue; reason for the complaint

 Customers may mail or email correspondence to:

Complaint – Financial Aid Payment Office, P.O. Box 741361, Houston, Texas 77274-1361; or email wfvendor@wrksolutions.com with a subject line “Complaint”.

When a customer submits a complaint, Workforce Solutions staff will take the following actions:

* Upon receiving a complaint about a vendor staff must notify the payment office.
* The Board contract manager must be notified of any complaints against a vendor upon receipt. The Payment Office will work collaboratively with Board staff regarding next steps and inform the Board contract manager of the decision prior to contacting the vendor.
* The payment office will:
	+ Send a letter to the vendor within 5 business days of receiving the complaint, notifying them that we received the complaint and outline our next steps.
	+ Notify Board staff of the outcome of the investigation.
	+ Send a letter to the vendor with the outcome of the investigation within 30 days.
	+ Notify the customer regarding the outcome of the investigation

See the [Complaint Processing Standards and Guidelines (See Section VI. Complaints Against a Vendor).](https://www.wrksolutions.com/Documents/Staff/contractmanagementpp/Complaint-Processing-Standards-and-Guidelines.docx) for more information on the process for investigating a vendor.

1. **Complaints from a Vendor**

## To ensure we provide high quality services to our vendors, Workforce Solutions accepts complaints from our vendors. Any current childcare, training, or potential vendor may file a complaint, at any time, about services received from Workforce Solutions.

Workforce Solutions’ website and the vendor portal gives information about how to file a complaint. During orientations that inform customers, employees, contractors, vendors, partners, and/or the public of Workforce Solutions’ service, staff will include information of the right to file a complaint and the process to follow.

We ask that all complaints be submitted in writing and, at a minimum, include the following information:

* + - The name of vendor, physical and mailing address, telephone number
		- The type of service provided (Training or Child Care)
		- Name of the person filing the complaint, phone number and email or mailing address
		- A detailed description of the problem or issue; date of occurrence; the reason for the complaint and individuals involved.

Vendors may mail or email correspondence to:

Complaint – Financial Aid Payment Office, P.O. Box 741361, Houston, Texas 77274-1361; or email wfvendor@wrksolutions.com with a subject line ‘Complaint” A member of management will investigate and work to resolve all complaints within 5 business days of receiving the complaint.

When a vendor submits a complaint, Workforce Solutions staff will take the following actions:

* The Board contract manager must be notified of any complaints from a vendor upon receipt. The Payment Office will work collaboratively with the Board regarding next steps.
* The Payment Office will follow the [Complaint Processing Standards and Guidelines (See Section IV. Processing Formal Complaints – Contractors and Section VII. Complaints From a Vendor)](https://www.wrksolutions.com/Documents/Staff/contractmanagementpp/Complaint-Processing-Standards-and-Guidelines.docx) and track all complaints and the results of the investigations.

A vendor may file an appeal with the Board if they are not in agreement with the decision from the Financial Aid Payment Office.

See the [Complaint Processing Standards and Guidelines (See Section VIII, Vendor Board Reviews)](https://www.wrksolutions.com/Documents/Staff/contractmanagementpp/Complaint-Processing-Standards-and-Guidelines.docx) for more information on the process for Board Reviews (Appeals) from a vendor.

# XI. Removing or Suspending Programs and Vendors

1. **Removal**

Vendors must submit a Student Data Report (SDR) annually, **in July**, for continued inclusion on the ETPL. If a vendor fails to submit the data or opts out, they will be removed from the list. TWC will not remove the vendor/program from the ETPL until the July annual review.

We may also remove or suspend a vendor and/or one or more of its approved programs from our vendor network for any of the following reasons:

* The vendor submitted false or fraudulent information on an application;
* The vendor changes its physical location and does not inform us prior to the move;
* The vendor is no longer in compliance with standards set by its regulatory or accrediting organization;
* We receive two separate complaints within a six-month time period which we determine to be valid through investigation;
* We find that a vendor and/or its program(s) are operating in a particularly harmful, offensive, discriminatory, illegal or otherwise inappropriate manner;
* The vendor does not renew or sign its application timely;
* We remove an occupation from the High-Skill, High-Growth Occupations list, which causes the removal of a vendor’s training program;
* We determine a vendor’s career training program does not directly prepare a student for employment in nor help students gain essential skills or credentials related to one of our High-Skill, High-Growth Occupations as described by the vendor;
* The vendor does not submit information or documents we have requested;
* The vendor does not meet performance standards; or
* Board notifies FAPO to remove the vendor/program for a valid reason.
* When a project has ended.
1. **Determination**

When the Payment Office determines a program needs to be removed or suspended, staff must consult with Board staff prior to taking an adverse action against a vendor.

Workforce Solutions will issue a written determination to a vendor, notifying them that one or more of its programs, or the vendor organization, will be removed or suspended from our approved network.

### Our written determination to remove or suspend a vendor will include the following information:

* A brief statement of the adverse action (including why the program is being suspended or removed);
* The mailing date of the determination;
* An explanation of the vendor’s right to appeal the determination;
* The procedures for filing an appeal (see [Appeals](#_Appeals)) to the Board including applicable time frames;
* The address, email or fax number to which the appeal must be sent;
* The date upon which we will remove the vendor or its program;
* The date upon which they are eligible to re-apply as a vendor, which is dependent on:
* When removal is the result of a vendor failing to meet Workforce Solutions standards, the waiting period will be a minimum of 12 months.
* If we remove a vendor’s training program for failure to meet performance or other issues related to the vendor’s delivery of education/training in that program, the vendor may submit a new or revised program for review after one year. The vendor must demonstrate that the revised program is meeting Workforce Solutions’ performance standards during that year.
* Vendors may re-apply at the end of the removal period by:
* Submitting a new application;
* Providing evidence that the problem(s) which caused the removal is resolved;
* Allowing Workforce Solutions staff to do an on-site visit and review.

If a training provider is removed from the ETPL, enrolled students can remain in the training program until they complete their training, choose to change to a different vendor on the ETPL or exit the training program.

1. **Procedures for Notifying the System of Changes to a Vendor’s Status in ETPL or WFS Vendor Network**

If it is determined that a removal or suspension is warranted, payment office staff will follow the steps below to remove or suspend a vendor from the Vendor Network after consultation with Board staff.

1. Send a letter informing the vendor of the removal or suspension from ETPL and/or the Vendor Network (See Section B above) and store correspondence in DocuWare
2. Indicate the vendor and/or program as Existing Customers Only in Gazelle and MIP
3. Terminate existing agreement, if applicable
4. Notify the entire system of any changes to a vendor’s status
5. Notify all individuals currently enrolled with the vendor of the change in status in writing. Customers may choose to change to a different vendor on the ETPL or remain at the current vendor to complete training. Customers must be informed of any information that may impact their ability to complete training. *(Career office staff must follow-up with customers to answer any questions and support them once a decision is made.)*
6. New customers will not be approved or allowed to enroll at a vendor who has been removed or suspended from the ETPL and/or Vendor Network.

Note: Workforce Solutions will continue to support the education and training for existing customers already approved and/or enrolled to receive training from a vendor being removed from the ETPL and/or Vendor Network until they have completed the training program, if they so choose.

The Payment Office will coordinate with career office staff and Board staff to assist customers who are enrolled and attending training to ensure continuity in service for the customer that may require a change in vendor.

# XII. Board Review

A vendor may request a board review of a denial, removal of the vendor, or removal of one of the vendor’s programs from the approved vendor network. A vendor must submit the board review in writing within 14 calendar days of the mailing date of the determination letter. The appeal must include the vendor’s proper name, mailing address, and telephone number.

The Board staff will process Board level appeals using the following steps:

* Upon receipt of an appeal, Board staff will log the appeal and request documentation from the Payment Office.
* Board staff will have 7 business days to send a hearing notice to the vendor and contractor.
* The Board Review must be scheduled to take place no later than 30 calendar days following the request.
* The Board staff will remain as an impartial Board adjudicator and will conduct the Board Review on the scheduled date.
* Board staff will have 10 days to make a decision and mail a copy of the decision letter to the vendor and contractor. The letter will include steps on how to appeal the decision to TWC for a formal review.
* A Board decision will be completed by the Board Adjudicator, within 60 days of the original filing of the appeal or complaint.

See the [Complaint Processing Standards and Guidelines (See Section VIII, Vendor Board Reviews)](https://www.wrksolutions.com/Documents/Staff/contractmanagementpp/Complaint-Processing-Standards-and-Guidelines.docx) for more information on the process for Board Reviews (Appeals) from a vendor.

# XIII. Appendix

1. **Determining Occupations in Demand**

Workforce Solutions analyzes a variety of data to project which jobs are expected to have the most growth over the next 10 years.

We use this research to compile a list of occupations that are currently in demand in the Gulf Coast region. We consolidate and present this information in a variety of lists:

* [Targeted Industries](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/Targeted_Industries.docx) – We use this list to help guide strategic investments of money and resources in our key regional industries. We also use this list to help guide the actions of the Employer Service Division.
* [Where the Jobs Are](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/WTJA.docx) – This is our “hot jobs” list comprised entirely of occupations in which we expect to see substantial openings over the next 10 years. This list focuses on the projected number of openings and does not factor in wages, skill levels or other criteria. We use this list to help provide general career information and guidance to customers.
* [High-Skill, High-Growth Occupations](http://www.wrksolutions.com/Documents/Individuals/faj/highskillprofile/High-Skill_High-Growth_Occupations.docx) – This is our demand occupations list. We use it as the basis for our system’s career information and guidance work. The occupations on this list represent good careers with higher than average wages, skill levels and employment opportunities for the next 10 years. We work to promote these occupations to our customers and the public throughout the region.

We also use the High-Skill, High-Growth Occupations list to guide our offers of Workforce Solutions’ financial aid to customers. Workforce Solutions will provide scholarship support to some of the region’s High-Skill, High-Growth occupations, provided there is a local vendor on the [Eligible Training Provider List](https://twc.texas.gov/partners/eligible-training-providers) and the vendor is an approved vendor for the Gulf Coast region.

1. **Adding and Dropping Occupations**

**Internal** — We will review all lists every two years and update them as new labor market information (either statistical data or local labor market intelligence) becomes available. New information may result in fewer or more occupations qualifying for a list, a change in the mix of targeted industries, or some combination thereof.

**External** — A business or group of businesses may petition the Gulf Coast Workforce Board at any time to add or drop occupations from either the High-Skill, High-Growth Occupations list. There are four steps to the process:

1. Contact the Workforce Board.

Businesses wanting to petition the Gulf Coast Workforce Board to amend the High-Skill, High-Growth Occupations list should contact Board staff by email to GulfCoast-HSHG@wrksolutions.com.

1. Collect information.

Board staff will work with the petitioner(s) to clarify the nature of the request and provide statistical and/or local labor market intelligence documenting the validity of the request. The Board may ask for the following kinds of information:

* Why does the petitioner want to amend the High-Skill, High-Growth Occupations list?
* What are the petitioner’s projected hiring needs?
* How many of those jobs are new?
* What is the estimated wage for new hires?
* Does the petitioner hire people from local education and training institutions, and if so, how many?
* What are the placement rates for education and training programs related to occupations in question?
* Is the petitioner experiencing hiring problems?
* Is the petitioner experiencing other workforce issues?

If a petitioner is requesting an occupation be added to or removed from the High-Skill, High- Growth Occupations list, the petition should clearly make a case for the occupation meeting or failing to meet the minimum criteria for inclusion on the list.

Additional questions the petitioner should consider are:

* Does the occupation have a labor-shortage?
* Are there enough people in the education pipeline?
* How would adding the occupation to the High-Skill, High-Growth Occupations list expand the educational pipeline?

Board staff will be available to collect information on unmet need for the occupations based on informal surveys of employers in the region. Survey data in support of a petition will document demand well in excess of current or projected supply from the education pipeline, high employment rates for graduates from existing programs providing education and training for the occupation, and median wages of at least $18.70 per hour.

Occupations added to either list as the result of an employer petition are identified on the High-Skills, High-Growth Occupations list with the letter “p” following their title.

1. Get a recommendation.

The Board’s staff will make a recommendation to Board staff management within 15 days of completing step 2.

1. Get a decision.

The Board’s chief executive officer will make a final decision within 30 days of getting a staff recommendation. Board staff will notify the petitioner by U.S. mail.

1. **Board Technical Assistance**

The Payment Office must follow the application and eligibility procedures, including documentation requirements set forth in the Vendor Standards and Guidelines to approve or deny education and training vendors. The Payment Office is responsible for vetting all vendors and ensuring the vendor process is followed.

If the Payment Office needs assistance in the approval process for a new or existing vendor or training program, the Vendor Contracts Manager or designee may contact the designated Board staff for technical assistance.

Board staff encourages payment office staff to submit recommendations for changes in guidance to the contract manager, operations staff and other designated individuals. Technical assistance is available to discuss changes, updates in order for our system to be responsive to changes that impact the system and vendors in receiving payments timely and providing options for customers.