



## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented By:** Jessica Villarreal, Director of Child Care

**Date:** March 7, 2025

**Subject:** **Childcare Performance Briefing**

**Summary:** This memo provides the Early Care & Education Committee with a performance update on childcare services for Fiscal Year (FY) 2025. Workforce Solutions Alamo (WSA), in collaboration with its childcare contractor, diligently monitors enrollment processing and maintains consistent communication to ensure adherence to the Texas Workforce Commission's (TWC) performance goal range of 95–105% of the target, while remaining within the allocated budget.

**Background:** For FY2025, TWC established Alamo's target units of care at 14,335, a significant increase of 1,957 slots compared to the FY2024 target of 12,378.

**Current Performance:** Initial performance data indicates strong progress. At the close of the first month of FY2025, the average enrollment reached 13,943, representing 97.26% of the target. As of November, the unofficial year-to-date (YTD) average is 14,132 enrollments, or 98.59% of the target.

**Analysis:**

WSA's unofficial YTD average for November, with 14,132 enrollments (98.59%), positions Alamo within the "Meets Performance (MP)" range at the outset of FY2025.

- The Child Care Services team continues proactive enrollment efforts to maintain this performance level while adhering to the allocated childcare budget.
- Intake remains open, and childcare staff are actively engaged with families and providers to ensure the effective delivery of services.

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[communications@wsalamo.org](mailto:communications@wsalamo.org)

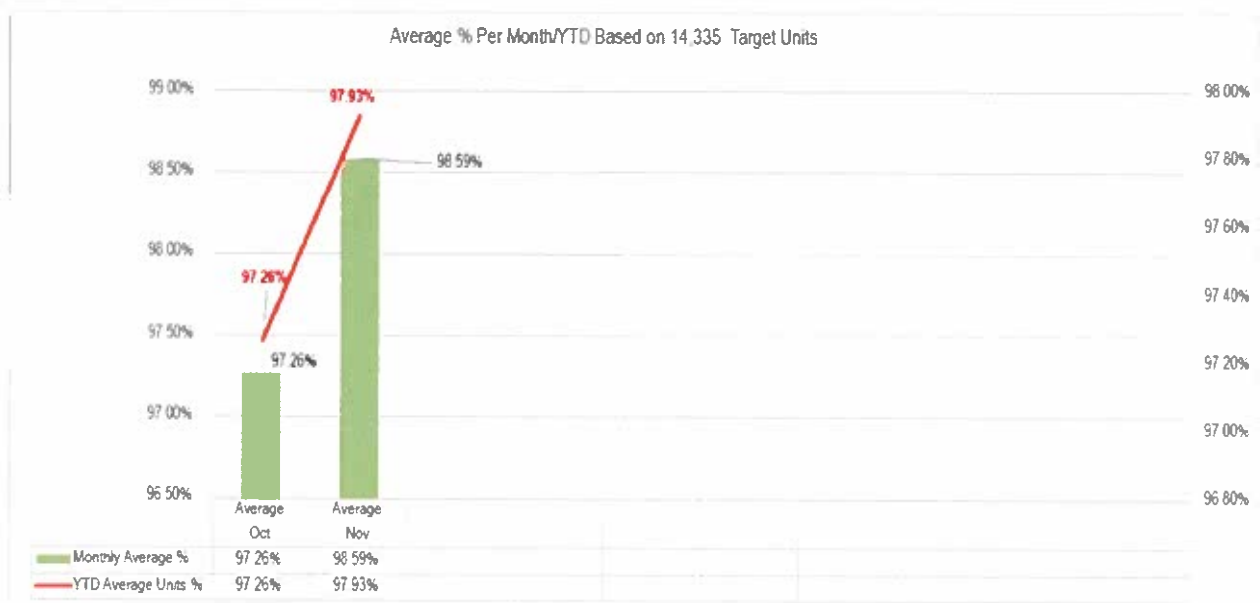
100 N. Santa Rosa Street  
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(210) 272-3260

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Information collected: 01/08/2025





	Oct Average	Nov Average
Choices	182	164
Low Income	12,806	13,004
Former DFPS	736	734
Homeless	219	231
Monthly Average	13,943	14,132
Monthly % Average	97.26%	98.59%
YTD Average Unit	13,943	14,038
YTD % Average	97.26%	97.93%
TWC Target	14,335	14,335

**Fiscal Impact:**

- Each October, TWC allocates funding and establishes annual performance targets for each workforce board.
- TWC employs a performance status methodology, based on the annual target and budget, defining percentage ranges for three performance measures: Meets Performance (MP), Exceeds Performance (+P), and Below Performance (-P).
- Exceeding the budgeted amount for enrollments may negatively impact future funding allocations.
- Therefore, WSA meticulously monitors and balances both the enrollment target and the allocated budget to maximize childcare access for families while maintaining compliance with TWC requirements.

**Recommendation:** N/A

**Next Steps:** WSA will continue to actively enroll eligible families and rigorously monitor performance against established goals and budget allocations throughout FY2025. This ongoing monitoring will ensure optimization of enrollments while remaining within the approved program budget.



## MEMORANDUM

**To:** Executive Committee  
**From:** Adrian Lopez, CEO  
**Presented By:** Jessica Villarreal, Director of Child Care  
**Date:** March 7, 2025  
**Subject:** Texas Rising Star Assessment Update

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### Summary:

The Texas Rising Star (TRS) program, a Quality Rating and Improvement System (QRIS) administered in conjunction with the Texas Workforce Commission's (TWC) Child Care Services (CCS) program, recognizes and supports high-quality early childhood education programs. TRS certification is available to licensed childcare centers, licensed childcare homes, and registered childcare home facilities that meet established criteria. The program offers three distinct levels of quality certification—Two-Star, Three-Star, and Four-Star—designed to incentivize continuous quality improvement. These tiered certifications correlate with enhanced reimbursement rates for providers serving children receiving childcare scholarships. Extensive research demonstrates a strong correlation between attendance in high-quality early learning programs and enhanced school readiness. TRS-certified programs, which demonstrably exceed the minimum standards set forth by the Texas Health and Human Services Commission (HHSC) Child Care Regulation (CCR), are positioned to significantly contribute to the positive physical, social-emotional, and cognitive development of children. As programs progress through the TRS levels, their positive impact on children's development is amplified.

**Analysis:** The Alamo region currently benefits from the expertise of 17 mentors who actively support participating centers. As of January 9, 2025, the Alamo region boasts 303 TRS-certified Early Learning Programs. This cohort comprises 180 Four-Star, 102 Three-Star, and 22 Two-Star programs. TRS-certified programs represent 49.8% of all CCS programs within the Alamo region, compared to 52.8% in Bexar County and 38.9% in rural areas. TRS mentors and boards maintain consistent engagement with the Centralizing Assessment Entity to ensure a shared understanding of roles and responsibilities related to assessments. The number of providers with active scholarship agreements continues to fluctuate. As of January 8, 2025, 606 centers hold such agreements, encompassing Licensed Centers, Licensed Child Care Homes, Military facilities, Registered Child Care Homes, and Relative Care Listed Homes. Notably, Relative Care Listed Homes are excluded from TRS program counts and percentages.

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[communications@wsalamo.org](mailto:communications@wsalamo.org)

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Key data points as of January 8, 2025 are presented below:

**Data as of 01/09/2025**

Centers awaiting NEW certification	162
Number of 4* to date	180
Number of 3* to date	102
Number of 2* to date	22
# Of Accredited Centers	65
# Of Non-Accredited Centers	239
# Of Military Centers: included in accredited total	7

**As of 01/22/2025:** Total Max Capacity of Texas Rising Star Centers based on Child Care regulations: Excludes Military Centers as they are not overseen by Child Care regulations.

County	TRS Capacity
Atascosa	371
Bandera	119
Bexar	29645
Comal	789
Frio	225
Gillespie	258
Guadalupe	2166
Kendall	135
Kerr	350
Medina	558
Wilson	255
Grand Total	34871

**Data below as of 01/08/2025**

NOTE: Program counts below include Licensed Centers, Licensed Homes, Registered Homes, Listed Homes, and Military facilities. Military facilities are not reflected on the HHSC CCL data list and have been added manually.



Location	Programs	CCS Programs	TRS Programs	Percentage TRS of CCS Programs
Bexar Early Learning Programs	839	475	251	52.8%
Rural Early Learning Programs	312	131	51	38.9%
Total	1151	606	302	49.8%

Note: does not include Military as they do not have a CCR capacity

Provider Type	Total Providers	Total Capacity	Rural Providers	Rural Capacity
Licensed Center	506	58396	111	12626
Licensed Child Care Home	40	478	12	143
Military	8	N/A	0	N/A
Registered Child Care Home	38	444	5	60
Relative Care Listed Home	14	N/A	3	N/A
Totals	606	59318	131	12829

**Alternatives:** N/A

**Fiscal Impact:** N/A

**Recommendation:** N/A

**Next Steps:**

The Workforce Solutions Alamo (WSA) will continue to monitor assessment preparation and program application submissions. The Centralizing Assessment Entity manages assessments and scheduling, adhering to TWC guidance and processes.

## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented by:** Victoria Rodriguez, Director of Workforce Services

**Date:** March 7, 2025

**Subject:** Incumbent Worker Funding

**Summary:** This memorandum provides detailed information regarding funding options for incumbent worker training programs. With the increasing demand from partners and employers, the Workforce Solutions Administration (WSA) is exploring viable strategies to meet this demand. This document discusses funding options, eligibility requirements, relevant policies, and next steps to support incumbent worker programs.

**Analysis:** Incumbent worker training is a strategic approach to upskilling current employees while creating opportunities for new hires. This type of training enables employers to address workforce needs more efficiently and enhances employee competencies through investment in skill development.

Traditionally, these programs are funded through Workforce Innovation and Opportunity Act (WIOA) resources. However, the Texas Workforce Commission (TWC) offers additional funding opportunities, such as:

- **Skills for Small Business:** Provides training for employees of small businesses.
- **Skills Development Fund:** Focused on collaborations between employers and training institutions to deliver customized training.
- **Self-Sufficiency Fund:** Designed to support training that leads to better wages and self-sufficient employment for workers.
- **High Demand Job Training Program:** Targets skills training for high-demand occupations.

### Eligibility Requirements:

- **For Employers:**
  - Must have a TWC Tax Account Number with an active and liable status.
  - Must maintain an employer account in WorkInTexas.com.
- **For Workers:**
  - Must be currently employed and have been with the employer for at least six months.
  - WIOA eligibility is not a requirement for participation; however, if participants are enrolled in WIOA, they must meet performance indicators tied to WIOA funding.

The Board must carefully evaluate employers, and participants need to determine whether WIOA funds can be allocated or if alternative funding options are more suitable. Each funding source has unique requirements and objectives that may align differently with the region's incumbent worker training needs.

**Policy Updates:**

Board Policy MR 672 C1 currently addresses incumbent worker training but requires updates to align with the latest guidance provided by TWC. Updating the policy will ensure it reflects current best practices and meets the needs of the region. The projected date of this policy change is February 13, 2025. Attached to this memo is the Board's current policy.

**Alternatives:** If WIOA funds are not used, WSA could pursue TWC business grant opportunities in collaboration with partners. While this approach may provide additional resources, it could extend the timeline required to address training needs due to the application and approval process.

**Fiscal Impact:** WSA will need to evaluate regional workforce demands and the current FY25 budget to determine the appropriate allocation of WIOA funds for incumbent worker training. This fiscal analysis will help identify the level of investment necessary to support these programs effectively.

**Recommendation:**

- WSA should review and revise the current incumbent worker training policy to establish a clear process for program implementation.
- The revised policy must be reviewed and approved by the appropriate committees and the Board of Directors.
- Concurrently, WSA staff should begin planning for incumbent worker training under the existing policy framework to avoid delays.

**Next Steps:**

1. Internally evaluate available resources within the current fiscal year to support incumbent worker training using WIOA funds.
2. Update Policy MR 672 C1 to incorporate TWC's latest guidance and regional priorities.
3. Engage with partners and employers to assess their training needs and determine the best funding approach.
4. Present policy revisions and program plans for review and approval by the committees and Board of Directors.
5. By addressing these steps, WSA aims to create a sustainable framework for incumbent worker training that meets employer demands and enhances workforce development in the region.



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## MEMORANDUM OF RECORD

**ID NO: MR 672 C1**

**DATE ISSUED: June 16, 2023**

**TO: Workforce Solutions Alamo Contractors**

**FROM: Katherine Pipoly, Chief Operating Officer**

DocuSigned by:

*Katherine Pipoly*

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**SUBJECT: Incumbent Worker Training-Update**

### **PURPOSE:**

The Texas Workforce Commission released Workforce Development (WD) Letter 06-19 Ch1 Incumbent Worker Training—Update. The WD letter provides updated information on providing and tracking incumbent worker training using Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds.

### **REQUIRED ACTIONS:**

Workforce Solutions Alamo (WSA) adopts this WD Letter 06-19 Ch1 as local policy. Workforce center contractors must ensure that staff are aware of and comply with guidance outlined in this WD letter. See Attachment 1-Incumbent Worker Training Tracking Tool, Attachment 2-Notification Form for Incumbent Worker Training, and Attachment 3-Track Changes. Workforce center contractors must complete Attachment 1 to document incumbent worker training for individual incumbent workers and cohorts, the cost of training, and the training outcomes. In addition, prior to beginning the Incumbent Worker Training, workforce center contractors must complete the Notification Form for Incumbent Worker Training and submit the completed form to the assigned WSA Grant Manager following the instructions on the form.

### **RECISSIONS:**

MR 672

### **EFFECTIVE DATE:**

June 6, 2023

### **INQUIRIES:**

Please direct all inquiries pertaining to this policy to [policyinquiry@wsalamo.org](mailto:policyinquiry@wsalamo.org)

### **ATTACHMENT:**

WD 06-19 Ch1 Incumbent Worker Training-Update

Attachment 1-Incumbent Worker Training Tracking Tool

Attachment 2-Notification Form for Incumbent Worker Training

Attachment 3-Track Changes

**TEXAS WORKFORCE COMMISSION**  
**Workforce Development Letter**

<b>ID/No:</b>	WD 06-19, Change 1
<b>Date:</b>	June 6, 2023
<b>Keyword:</b>	WIOA
<b>Effective:</b>	Immediately

**To:** Local Workforce Development Board Executive Directors  
Commission Executive Offices  
Integrated Service Area Managers



**From:** Courtney Arbour, Director, Workforce Development Division

**Subject:** Incumbent Worker Training—Update

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**PURPOSE:**

The purpose of this updated WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on providing and tracking incumbent worker training using Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds.

This change letter removes guidance on inclusion of incumbent worker training information in Board plans. Requirements relating to incumbent worker training and local Board plans will be included in future guidance specific to Board plan requirements.

**BACKGROUND:**

Federal requirements for incumbent worker training are set forth in WIOA §134(d)(4) and 20 Code of Federal Regulations (CFR) §§680.780–680.820. Incumbent worker training serves to increase the competitiveness of the employee or employer and is designed to meet the specific requirements of an employer or group of employers to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment.

**PROCEDURES:**

**No Local Flexibility (NLF):** This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

**Local Flexibility (LF):** This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set

forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

### **Employer Eligibility**

**NLF**: Boards must be aware that eligibility for incumbent worker training is determined at the employer level by the Board, which determines whether the employer or group of employers is eligible to receive incumbent worker training services.

**NLF**: Boards must be aware that to be eligible for incumbent worker training services, the employer must have a Texas Workforce Commission (TWC) Tax Account Number with a status of active and liable and must have an employer account in WorkInTexas.com with the same TWC Tax Account Number.

**NLF**: Boards must consider the following when determining employer eligibility to receive WIOA funds for incumbent worker training:

- The characteristics of the individuals in the program
- The ability of the training to increase the competitiveness of an employee and an employer
- Other factors that the Board determines appropriate, including:
  - the number of employees trained;
  - wages and benefits, including post-training wage increases; and
  - the existence of other training and advancement opportunities provided by the employer.

**NLF**: Boards must ensure that employers make a commitment to retain or avert the layoffs of incumbent worker trainees.

### **Non-Federal (Employer-Paid) Share of Cost**

**NLF**: Boards must be aware that employers participating in incumbent worker training must pay the non-Federal share of the cost of providing training to their incumbent workers, as required by WIOA §134(d)(4)(D). The amount of the non-Federal share is determined by the Board, which must take the following factors into consideration:

- The number of employees participating in the training
- The wage and benefit levels of the employees (at the beginning and anticipated wages upon completion of the training)
- The relationship of the training to the competitiveness of the employer and employees
- The availability of other employer-provided training and advancement opportunities

**NLF**: Boards must be aware that the non-Federal share must not be less than:

- 10 percent of the cost, for employers with 50 or fewer employees;
- 25 percent of the cost, for employers with 51–100 employees; and
- 50 percent of the cost, for employers with more than 100 employees.

**NLF**: Boards must be aware of the following:

- The non-Federal share provided by an employer may include the amount of the wages paid by the employer to a worker while the worker is attending incumbent worker training.
- The employer may provide the share in cash or in-kind, based on a fair evaluation of the value of the in-kind contribution.
- Boards must evaluate the fairness of the in-kind valuation using the standards in OMB Uniform Guidance, the state's Uniform Grant Management Standards, and TWC's Financial Manual for Grants and Contracts.

#### **Incumbent Worker Eligibility**

**NLF:** Boards must be aware that an individual does not have to meet the eligibility requirements for WIOA career and training services to receive training from his or her employer through incumbent worker training. If an incumbent worker meets eligibility requirements for WIOA career and training services, that worker may be enrolled as a WIOA participant to receive other services from the WIOA adult program, in which case, the individual's participation would be reported under the appropriate WIOA indicators of performance. However, enrollment in the WIOA adult program is not required for participation in incumbent worker training.

**NLF:** Under 20 CFR §680.780, Boards must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker training services. To qualify as an incumbent worker, the incumbent worker must:

- be employed;
- meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
- have an established employment history with the employer for six months or more; however, exceptions apply when training is provided to two or more employees in the same cohort. (See next paragraph.)

**NLF:** Boards must be aware that:

- if the incumbent worker training is being provided to a cohort of employees, at least 50 percent of the employees being trained must have an established employment history with the employer for six months or more; and
- using WIOA funds to provide incumbent worker training to cohorts who do not meet the federally established employment history threshold may result in a disallowed cost to the Board.

**LF:** Boards may set a cohort employment history threshold at higher than 50 percent to ensure that the federal standard is met, which must be documented in the agreement with the employer.

#### **Allocation**

**NLF:** Boards must not use more than 20 percent of their total WIOA adult and dislocated worker formula allocation to provide incumbent worker training.

**NLF:** Boards must:

- ensure that the incumbent worker training cost per participant is reasonable and necessary to complete the course of study; and
- identify and document the methodology and factors used in making that determination.

### **Data Tracking**

**NLF:** Boards must use the Incumbent Worker Training Tracking Tool (Attachment 1) to document incumbent worker training for individual incumbent workers and cohorts, the cost of training, and training outcomes.

**NLF:** Boards planning to provide incumbent worker training services must coordinate such activities with their assigned Board grant manager, as follows:

- Prior to beginning the incumbent worker training, Boards must complete the Notification Form for Incumbent Worker Training (Attachment 2) and submit the completed form to their assigned grant manager following the instructions on the form.
- The assigned grant manager must assign a unique Cohort ID Number to each incumbent worker training, whether the training is provided to one employee or to a cohort of employees.
- The assigned grant manager will send the Incumbent Worker Training Tracking Tool to the Board with the assigned Cohort ID Number. (One tracking tool with one unique Cohort ID Number will be assigned to each incumbent worker training session.)
- The Cohort ID Number assigned to the tracking tool is a 10-digit number consisting of three parts, as follows:
  - Two-digit Board number
  - Two-digit calendar year in which training begins
  - Unique training session ID beginning with “IWT” and followed by a three-digit number assigned to each unique incumbent worker training
- Each unique training session increases the Cohort ID Number consecutively based on the number of incumbent worker training sessions that the Board funds.
  - Cohort ID Numbers will continue to increase consecutively within a calendar year, because the numbers are based solely on the number of training sessions that the Board funds and are not tied to the number or variety of employers or training providers facilitating incumbent worker training.
  - Unique training session IDs, the third part of the Cohort ID Number, will reset to begin with “IWT001” at the beginning of each new calendar year.
  - For example, a Cohort ID Number of 14-19-IWT001 indicates that the Capital Area Workforce Development Board is funding the training, the training begins in 2019, and this is the first cohort of incumbent worker training being funded in 2019. Similarly, a Cohort ID Number of 14-19-IWT002 indicates that it is the second cohort of incumbent worker training being funded by the Capital Area Workforce Development Board in 2019.

**NLF:** Boards must encourage the collection of Social Security numbers as part of the training agreement so that incumbent worker wage records can be used to verify employment or training outcomes.

**NLF:** Following established contract submission deadlines, Boards must submit an updated Incumbent Worker Training Tracking Tool to their assigned grant manager at the end of each quarter and must continue submitting it each quarter thereafter until the final credential outcome has been attained and documented in the tool. The completed tracking tool must be submitted within 20 days of the end of each reporting quarter.

**NLF:** Boards must ensure that Workforce Solutions Office staff enters the incumbent worker training service in WorkInTexas.com for the employer.

**Protection of Personally Identifiable Information**

**NLF:** Boards must ensure that the agreement with the employer and the training provider for incumbent worker training includes provisions to ensure the security of personally identifiable information and other sensitive information that is required for successful tracking of training services and outcomes. All Boards and workforce partners must maintain such information in accordance with TWC's standards and security.

**INQUIRIES:**

Send inquiries regarding this WD Letter to [wfpolicy.clarifications@twc.texas.gov](mailto:wfpolicy.clarifications@twc.texas.gov).

**ATTACHMENTS:**

Attachment 1: Incumbent Worker Training Tracking Tool

Attachment 2: Notification Form for Incumbent Worker Training

Attachment 3: Revisions to WD Letter 06-19 Shown in Track Changes

**REFERENCES:**

WIOA §134—Use of Funds for Employment and Training Activities

WIOA Regulations at 20 CFR §§680.780–680.820

US Department of Labor Employment and Training Administration, Training and Employment Guidance Letter No. 19-16, issued March 1, 2017, and titled “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules”

WD Letter 02-18, issued March 23, 2018, and titled “Handling and Protection of Personally Identifiable Information and Other Sensitive Information”

## Notification Form for Incumbent Worker Training

Instructions: Before beginning incumbent worker training, this form must be filled out completely. Attach the form to an email and send the completed form to [bcm@twc.texas.gov](mailto:bcm@twc.texas.gov) and the Local Workforce Development Board (Board) grant manager for your Board.

Board: \_\_\_\_\_

Employer: \_\_\_\_\_

Describe the industry or occupational focus of the incumbent worker training: \_\_\_\_\_

Training start date for this incumbent worker training: \_\_\_\_\_

Expected end date for this incumbent worker training: \_\_\_\_\_

Number of incumbent worker trainees: \_\_\_\_\_

If the training cohort includes more than one trainee, indicate the number of trainees with six or more months employment with this employer: \_\_\_\_\_

Provide additional comments or details related to the planned incumbent worker training:  
\_\_\_\_\_

Form submitted by: \_

References:

Workforce Innovation and Opportunity Act §134(d)(4)  
20 CFR §§680.780–680.820

## REVISIONS TO WD LETTER 06-19 SHOWN IN TRACK CHANGES

### TEXAS WORKFORCE COMMISSION Workforce Development Letter

<b>ID/No:</b>	WD 06-19, <a href="#">Change 1</a>
<b>Date:</b>	June 6, 2023
<b>Keyword:</b>	WIOA
<b>Effective:</b>	Immediately

**To:** Local Workforce Development Board Executive Directors  
Commission Executive Offices  
Integrated Service Area Managers

**From:** Courtney Arbour, Director, Workforce Development Division

**Subject:** **Incumbent Worker Training—Update**

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#### PURPOSE:

The purpose of this updated WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on providing and tracking incumbent worker training using Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds.

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#### PROCEDURES:

**No Local Flexibility (NLF):** This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

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### **Employer Eligibility**

**NLF:** Boards must be aware that eligibility for incumbent worker training is determined at the employer level by the Board, which determines whether the employer or group of employers is eligible to receive incumbent worker training services.

**NLF:** Boards must be aware that to be eligible for incumbent worker training services, the employer must have a Texas Workforce Commission (TWC) Tax Account Number with a status of active and liable and must have an employer account in WorkInTexas.com with the same TWC Tax Account Number.

**NLF:** Boards must consider the following when determining employer eligibility to receive WIOA funds for incumbent worker training:

- The characteristics of the individuals in the program
- The ability of the training to increase the competitiveness of an employee and an employer
- Other factors that the Board determines appropriate, including:
  - the number of employees trained;
  - wages and benefits, including post-training wage increases; and
  - the existence of other training and advancement opportunities provided by the employer.

**NLF:** Boards must ensure that employers make a commitment to retain or avert the layoffs of incumbent worker trainees.

~~**NLF:** As required by 20 CFR §679.560(b)(3)(v), Boards must ensure that their Board Plan describes the process used to develop and complete incumbent worker training contracts with employers~~

### **Non-Federal (Employer-Paid) Share of Cost**

**NLF:** ~~As WIOA §134(d)(4)(D) states,~~ Boards must be aware that employers participating in incumbent worker training ~~are required to must~~ pay the non-Federal share of the cost of providing training to their incumbent workers, as required by WIOA §134(d)(4)(D). The amount of the non-Federal share is determined by the Board, which must take the following factors into consideration:

- The number of employees participating in the training
- The wage and benefit levels of the employees (at the beginning and anticipated wages upon completion of the training)
- The relationship of the training to the competitiveness of the employer and employees
- The availability of other employer-provided training and advancement opportunities

**NLF:** Boards must be aware that the non-Federal share must not be less than:

- 10 percent of the cost, for employers with 50 or fewer employees;
- 25 percent of the cost, for employers with 51–100 employees; and
- 50 percent of the cost, for employers with more than 100 employees.

**NLF:** Boards must be aware of the following:

- The non-Federal share provided by an employer may include the amount of the wages paid by the employer to a worker while the worker is attending incumbent worker training.
- The employer may provide the share in cash or in-kind, based on a fair evaluation of the value of the in-kind contribution.
- Boards must evaluate the fairness of the in-kind valuation using the standards in OMB Uniform Guidance, the state's Uniform Grant Management Standards, and TWC's Financial Manual for Grants and Contracts.

**Incumbent Worker Eligibility**

**NLF:** Boards must be aware that an individual does not have to meet the eligibility requirements for WIOA career and training services to receive training from his or her employer through incumbent worker training. If an incumbent worker meets eligibility requirements for WIOA career and training services, that worker may be enrolled as a WIOA participant to receive other services from the WIOA adult program, in which case, the individual's participation would be reported under the appropriate WIOA indicators of performance. However, enrollment in the WIOA adult program is not required for participation in incumbent worker training.

**NLF:** Under 20 CFR §680.780, Boards must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker training services. To qualify as an incumbent worker, the incumbent worker must:

- be employed;
- meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
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**LF:** Boards may set a cohort employment history threshold at higher than 50 percent to ensure that the federal standard is met, which must be documented in the agreement with the employer.

**Allocation**

**NLF:** Boards must not use more than 20 percent of their total WIOA adult and dislocated worker formula allocation to provide incumbent worker training.

**NLF:** Boards must:

**TEXAS WORKFORCE COMMISSION**  
**Workforce Development Letter**

<b>ID/No:</b>	WD 06-19, Change 1
<b>Date:</b>	June 6, 2023
<b>Keyword:</b>	WIOA
<b>Effective:</b>	Immediately

**To:** Local Workforce Development Board Executive Directors  
Commission Executive Offices  
Integrated Service Area Managers



**From:** Courtney Arbour, Director, Workforce Development Division

**Subject:** Incumbent Worker Training—Update

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**PURPOSE:**

The purpose of this updated WD Letter is to provide Local Workforce Development Boards (Boards) with guidance on providing and tracking incumbent worker training using Workforce Innovation and Opportunity Act (WIOA) Adult and Dislocated Worker funds.

This change letter removes guidance on inclusion of incumbent worker training information in Board plans. Requirements relating to incumbent worker training and local Board plans will be included in future guidance specific to Board plan requirements.

**BACKGROUND:**

Federal requirements for incumbent worker training are set forth in WIOA §134(d)(4) and 20 Code of Federal Regulations (CFR) §§680.780–680.820. Incumbent worker training serves to increase the competitiveness of the employee or employer and is designed to meet the specific requirements of an employer or group of employers to retain a skilled workforce or avert the need to lay off employees by assisting the workers in obtaining the skills necessary to retain employment.

**PROCEDURES:**

**No Local Flexibility (NLF):** This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must.”

**Local Flexibility (LF):** This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set

forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

### **Employer Eligibility**

- NLF:** Boards must be aware that eligibility for incumbent worker training is determined at the employer level by the Board, which determines whether the employer or group of employers is eligible to receive incumbent worker training services.
- NLF:** Boards must be aware that to be eligible for incumbent worker training services, the employer must have a Texas Workforce Commission (TWC) Tax Account Number with a status of active and liable and must have an employer account in WorkInTexas.com with the same TWC Tax Account Number.
- NLF:** Boards must consider the following when determining employer eligibility to receive WIOA funds for incumbent worker training:
- The characteristics of the individuals in the program
  - The ability of the training to increase the competitiveness of an employee and an employer
  - Other factors that the Board determines appropriate, including:
    - the number of employees trained;
    - wages and benefits, including post-training wage increases; and
    - the existence of other training and advancement opportunities provided by the employer.
- NLF:** Boards must ensure that employers make a commitment to retain or avert the layoffs of incumbent worker trainees.
- Non-Federal (Employer-Paid) Share of Cost**
- NLF:** Boards must be aware that employers participating in incumbent worker training must pay the non-Federal share of the cost of providing training to their incumbent workers, as required by WIOA §134(d)(4)(D). The amount of the non-Federal share is determined by the Board, which must take the following factors into consideration:
- The number of employees participating in the training
  - The wage and benefit levels of the employees (at the beginning and anticipated wages upon completion of the training)
  - The relationship of the training to the competitiveness of the employer and employees
  - The availability of other employer-provided training and advancement opportunities
- NLF:** Boards must be aware that the non-Federal share must not be less than:
- 10 percent of the cost, for employers with 50 or fewer employees;
  - 25 percent of the cost, for employers with 51–100 employees; and
  - 50 percent of the cost, for employers with more than 100 employees.
- NLF:** Boards must be aware of the following:

- The non-Federal share provided by an employer may include the amount of the wages paid by the employer to a worker while the worker is attending incumbent worker training.
- The employer may provide the share in cash or in-kind, based on a fair evaluation of the value of the in-kind contribution.
- Boards must evaluate the fairness of the in-kind valuation using the standards in OMB Uniform Guidance, the state's Uniform Grant Management Standards, and TWC's Financial Manual for Grants and Contracts.

#### **Incumbent Worker Eligibility**

**NLF:** Boards must be aware that an individual does not have to meet the eligibility requirements for WIOA career and training services to receive training from his or her employer through incumbent worker training. If an incumbent worker meets eligibility requirements for WIOA career and training services, that worker may be enrolled as a WIOA participant to receive other services from the WIOA adult program, in which case, the individual's participation would be reported under the appropriate WIOA indicators of performance. However, enrollment in the WIOA adult program is not required for participation in incumbent worker training.

**NLF:** Under 20 CFR §680.780, Boards must establish policies and definitions to determine which workers, or groups of workers, are eligible for incumbent worker training services. To qualify as an incumbent worker, the incumbent worker must:

- be employed;
- meet the Fair Labor Standards Act requirements for an employer-employee relationship; and
- have an established employment history with the employer for six months or more; however, exceptions apply when training is provided to two or more employees in the same cohort. (See next paragraph.)

**NLF:** Boards must be aware that:

- if the incumbent worker training is being provided to a cohort of employees, at least 50 percent of the employees being trained must have an established employment history with the employer for six months or more; and
- using WIOA funds to provide incumbent worker training to cohorts who do not meet the federally established employment history threshold may result in a disallowed cost to the Board.

**LF:** Boards may set a cohort employment history threshold at higher than 50 percent to ensure that the federal standard is met, which must be documented in the agreement with the employer.

#### **Allocation**

**NLF:** Boards must not use more than 20 percent of their total WIOA adult and dislocated worker formula allocation to provide incumbent worker training.

**NLF:** Boards must:

- ensure that the incumbent worker training cost per participant is reasonable and necessary to complete the course of study; and
- identify and document the methodology and factors used in making that determination.

### **Data Tracking**

**NLF:** Boards must use the Incumbent Worker Training Tracking Tool (Attachment 1) to document incumbent worker training for individual incumbent workers and cohorts, the cost of training, and training outcomes.

**NLF:** Boards planning to provide incumbent worker training services must coordinate such activities with their assigned Board grant manager, as follows:

- Prior to beginning the incumbent worker training, Boards must complete the Notification Form for Incumbent Worker Training (Attachment 2) and submit the completed form to their assigned grant manager following the instructions on the form.
- The assigned grant manager must assign a unique Cohort ID Number to each incumbent worker training, whether the training is provided to one employee or to a cohort of employees.
- The assigned grant manager will send the Incumbent Worker Training Tracking Tool to the Board with the assigned Cohort ID Number. (One tracking tool with one unique Cohort ID Number will be assigned to each incumbent worker training session.)
- The Cohort ID Number assigned to the tracking tool is a 10-digit number consisting of three parts, as follows:
  - Two-digit Board number
  - Two-digit calendar year in which training begins
  - Unique training session ID beginning with “IWT” and followed by a three-digit number assigned to each unique incumbent worker training
- Each unique training session increases the Cohort ID Number consecutively based on the number of incumbent worker training sessions that the Board funds.
  - Cohort ID Numbers will continue to increase consecutively within a calendar year, because the numbers are based solely on the number of training sessions that the Board funds and are not tied to the number or variety of employers or training providers facilitating incumbent worker training.
  - Unique training session IDs, the third part of the Cohort ID Number, will reset to begin with “IWT001” at the beginning of each new calendar year.
  - For example, a Cohort ID Number of 14-19-IWT001 indicates that the Capital Area Workforce Development Board is funding the training, the training begins in 2019, and this is the first cohort of incumbent worker training being funded in 2019. Similarly, a Cohort ID Number of 14-19-IWT002 indicates that it is the second cohort of incumbent worker training being funded by the Capital Area Workforce Development Board in 2019.

**NLF:** Boards must encourage the collection of Social Security numbers as part of the training agreement so that incumbent worker wage records can be used to verify employment or training outcomes.

**NLF:** Following established contract submission deadlines, Boards must submit an updated Incumbent Worker Training Tracking Tool to their assigned grant manager at the end of each quarter and must continue submitting it each quarter thereafter until the final credential outcome has been attained and documented in the tool. The completed tracking tool must be submitted within 20 days of the end of each reporting quarter.

**NLF:** Boards must ensure that Workforce Solutions Office staff enters the incumbent worker training service in WorkInTexas.com for the employer.

**Protection of Personally Identifiable Information**

**NLF:** Boards must ensure that the agreement with the employer and the training provider for incumbent worker training includes provisions to ensure the security of personally identifiable information and other sensitive information that is required for successful tracking of training services and outcomes. All Boards and workforce partners must maintain such information in accordance with TWC's standards and security.

**INQUIRIES:**

Send inquiries regarding this WD Letter to [wfpolicy.clarifications@twc.texas.gov](mailto:wfpolicy.clarifications@twc.texas.gov).

**ATTACHMENTS:**

Attachment 1: Incumbent Worker Training Tracking Tool

Attachment 2: Notification Form for Incumbent Worker Training

Attachment 3: Revisions to WD Letter 06-19 Shown in Track Changes

**REFERENCES:**

WIOA §134—Use of Funds for Employment and Training Activities

WIOA Regulations at 20 CFR §§680.780–680.820

US Department of Labor Employment and Training Administration, Training and Employment Guidance Letter No. 19-16, issued March 1, 2017, and titled “Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules”

WD Letter 02-18, issued March 23, 2018, and titled “Handling and Protection of Personally Identifiable Information and Other Sensitive Information”

- ensure that the incumbent worker training cost per participant is reasonable and necessary to complete the course of study; and
- identify and document the methodology and factors used in making that determination.

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**NLF:** Boards must ensure that Workforce Solutions Office staff enters the incumbent worker training service in WorkInTexas.com for the employer.

#### **Protection of Personally Identifiable Information**

**NLF:** Boards must ensure that the agreement with the employer and the training provider for incumbent worker training includes provisions to ensure the security of personally identifiable information and other sensitive information that is required for successful tracking of training services and outcomes. All Boards and workforce partners must maintain such information in accordance with TWC's standards and security ~~measures as documented in the following:~~

~~WD Letter 13-08, issued April 1, 2008, and entitled, "Security of Personal Identity Data"~~

~~WD Letter 02-18, issued March 23, 2018, and entitled, "Handling and Protection of Personally Identifiable Information and Other Sensitive Information"~~

#### **INQUIRIES:**

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~~WD Letter 02-18, issued March 23, 2018, and titled, "Handling and Protection of Personally Identifiable Information and Other Sensitive Information"~~

~~WD Letter 17-18, issued August 16, 2018, and entitled, "Workforce Automated Systems  
Data Entry Deadlines for Board Contract Year 2019"~~



## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented By:** Victoria Rodriguez, Director of Workforce Services

**Date:** March 7, 2025

**Subject:** Career Exploration

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**Summary:** This memo provides an update on Workforce Solutions Alamo's (WSA) Youth Career Exploration events and special initiatives for Program Year 2025 (PY25).

As outlined in Section 5.5 of the Workforce Commission Initiatives (WCI) Grant Statement of Work, WSA will utilize TANF grant funds to support Jobs Y'all career exploration events for middle school, high school, and postsecondary students. These events will engage employers in meaningful ways to help students explore career opportunities, understand pathways to in-demand careers, build networks, and access internships and other hands-on learning opportunities. Parents will also be encouraged to attend to support their child's career exploration journey. Events will be branded under Jobs Y'all and may include WSA-specific branding, with scheduling determined at the local level.

For FY2025, WSA will host four major youth career exploration events targeting various industries and youth sub-populations, with additional co-hosting opportunities currently under discussion.

### Analysis:

#### Planned Career Exploration Events

1. CTE Showcase – February 14, 2025
  - a. Hosted in recognition of Career & Technical Education (CTE) Month, this first-ever event will celebrate CTE programs and their role in preparing youth for diverse career paths.
  - b. Aimed at generating excitement and awareness among middle school students.

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[communications@wsalamo.org](mailto:communications@wsalamo.org)

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2. Alamo Future Fest – Date TBD
  - a. Designed for opportunity/disconnected youth (not currently working or in school), this event will offer career exploration, industry exposure, and pathways to employment, college programs, vocational training, and certifications.
  - b. Employers looking to hire from this population will be invited.
3. Youth Apprenticeship Week Event – May 5-9, 2025
  - a. Part of the nationwide Youth Apprenticeship Week (YAW) initiative, which highlights the value of Registered Apprenticeships for youth ages 16-24.
  - b. Focused on engaging rural communities and promoting regional apprenticeship programs.
4. National Intern Day Celebration – July 24, 2025
  - a. Aimed at high school juniors, seniors, and college students, this event will connect youth with internship opportunities to reinforce skills through work-based learning.
  - b. Employers will showcase available internships to foster real-world experience and career readiness.

#### Additional Youth Engagement Initiatives

- Ongoing Outreach Efforts
  - The Youth Team has launched a series of outreach activities, including TX FAME promotions and Workforce One engagement, to strengthen youth participation.
  - Continued efforts will focus on maximizing community impact.
- Upcoming Outreach Events
  - San Antonio Stock Show & Rodeo Ag-Mechanics Trade Show (February 21-22, 2025) – WSA's Youth Team will engage students interested in skilled trades.
  - 5th Annual Trades Discovery Day (March 1, 2025) – Hosted at the Boys & Girls Club's Eastside Clubhouse, this event will provide youth (ages 13-18) with hands-on experiences in trades such as plumbing, electrical work, and demolition.
  - Alamo City Electrathon (ACE) Race (April 12, 2025) – WSA is seeking sponsors and event-day volunteers for this STEM-focused event at the San Antonio Police Academy Training Center.
  - Alamo Helping Hands- On February 6, 2025 WSA will host Northside, Edgewood, Harlandale, SAISD, and South San School Districts at Pre-K 4 SA designed to increase awareness of available disability services, provide career and education resources, and foster inclusive employment opportunities. This event will empower individuals by offering valuable



information on education, employment, and community support, helping them achieve greater independence and career success.

**Alternatives:** N/A

**Fiscal Impact:** WSA's strategic investments in staff and career exploration events create lasting impact by equipping youth and their families with the knowledge and resources needed to pursue sustainable careers. By empowering young individuals with viable career pathways early on, these efforts reduce long-term reliance on social programs and build a stronger, self-sufficient workforce for the future.

**Recommendation:** To continue to partner with other youth-serving organizations and schools, leverage resources, maximize efforts for increased youth attendance, and overall reach the highest number of youth and expose them to Workforce Solutions Alamo, the YES! Program, and most importantly, career pathways.

**Next Steps:** Continue with the planning of the upcoming youth events and discuss what the partnership with partner agencies consists of for next program year's events.



## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented By:** Victoria Rodriguez, Director of Workforce Services

**Date:** March 7, 2025

**Subject:** Youth Program Briefing and Performance

---

**Summary:** For Program Year 2025, Workforce Solutions Alamo (WSA) continues its partnership with youth contractor SERCO to oversee enrollments and provide education, training, and skills essential for workforce success. WSA maintains active communication with SERCO to ensure performance goals align with the Texas Workforce Commission's (TWC) target range of 95-105% while staying within the allocated budget.

**Analysis:**

**Participant Planning Summary (PPS)**

The PPS aims to ensure that the Youth Service Provider serves the most significant number of participants and provides them with services that lead to successful training and employment outcomes. The PPS includes quarterly and yearly targeted enrollment (participants to serve) and service goals for eligible clients. While enrollment goals include serving the most significant possible number of eligible participants, the quality of customer service remains a top priority. The breakdown for the first quarter of the Program Year is as follows:

[workforcesolutionsalamo.org](http://workforcesolutionsalamo.org)  
[communications@wsalamo.org](mailto:communications@wsalamo.org)

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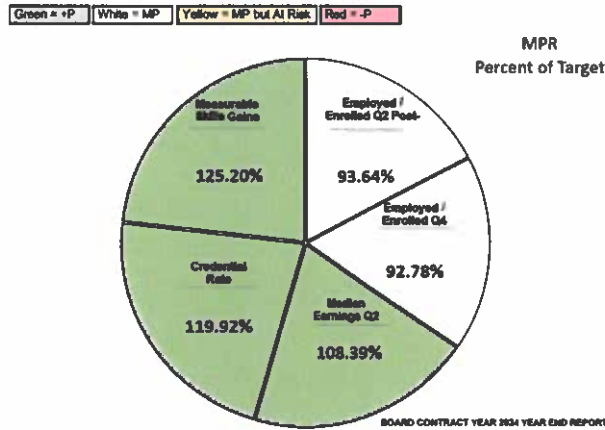
PPS WIOA YOUTH 2024-2025	NEW				YEAR END GOAL	YEAR END GOAL %
	Q1 OCT-DEC'24	Q2 JAN-MAR'25	Q3 APR-JUN'25	Q4 JUL-SEP'25		
Urban Participants Planned	89	178	267		356	
Actual Participants Served	194				194	54%
Rural Participants Planned	52	105	157		210	
Actual Participants Served	88				88	42%
Work Experience Career Opportunities Planned	50	101	150		201	
Actual	43				43	21%
Education/Training Planned	15	29	43		57	
Actual	26				26	46%
Supportive Services Planned	87	135	202		269	
Actual	221				221	82%

### Performance Accountability

WSA continues to track and communicate performance expectations with the youth contractor, focusing on WIOA-established indicators, including Q2 and Q4 Post-Exit Employed and Enrolled Outcomes, Measurable Skill Gains, Median Earnings, and Credential Attainment Rate.

The Year-End MPR Report for the 2023-2024 BCY highlights that the youth contractor met two of five performance measures and exceeded three, demonstrating a strong commitment to program success and youth progress tracking.

SERCO's leadership team remains dedicated to achieving positive outcomes, with youth staff actively engaging participants to collect necessary employment and educational documentation. Additionally, bi-weekly status updates will be provided to WSA if any measures are not met.



**Alternatives:** N/A

**Fiscal Impact:** Workforce Solutions Alamo (WSA) has made a significant investment in the development of the youth workforce, ensuring young individuals gain valuable skills and career opportunities.

- **In-School Youth:** WSA has allocated **\$173,055** towards **work experience opportunities**, helping students gain hands-on exposure to real-world jobs. Additionally, **\$2,730** has been invested in **support services** to remove barriers to success.
- **Out-of-School Youth:** WSA has committed **\$342,252.98** to **work experience programs**, equipping young individuals with critical job skills. Furthermore, **\$13,773** has been provided for **support services**, while an additional **\$40,878** has been dedicated to **individual training** to enhance employability and career advancement.

These strategic investments reinforce WSA's commitment to empowering youth through education, training, and hands-on work experience, ensuring they are prepared for the workforce and long-term career success.

**Recommendation:** WSA will continue utilizing WIOA Youth Workforce Reports at the Board level. If performance deficiencies arise, the youth contractor must submit an Exception Report outlining corrective actions.

To enhance performance, the contractor must make documented efforts to contact participants and collect employment and education outcomes for reporting accuracy. WSA and SERCO will closely monitor performance to maintain enrollment levels that support continued success while ensuring the contractor exceeds all performance measures.



**Next Steps:** WSA and the youth contractor will continue to monitor performance and work to ensure that enrollment remains at a level that does not negatively impact performance and that the youth contractor continues to exceed all performance measures.



## MEMORANDUM

To: Executive Committee  
From: Adrian Lopez, Chief Executive Officer  
Presented by: Dr. Ricardo Ramirez, Director of Quality Assurance  
Date: March 7, 2025  
Subject: **Quality Assurance Briefing**

**SUMMARY:** Quality Assurance briefing on WSA monitoring activities. The item does not require Board action.

### **WSA External Program Monitoring (Ms. Christine Nguyen, CPA)**

#### **Program Year 2023-2024:**

- *Ready to Work (RtW) – Multiple Partners:* 100% complete. For the RtW, we follow a ‘quality control’ approach (as opposed to ‘quality assurance’). Our consultant tests, and we send the information to staff for action as may be needed. The process helps ensure we meet City standards.

#### **Program Year 2024-2025:**

- *Child Care Services - COSA:* 54% complete.
- *Child Care Quality Improvement Activities (QIA) – COSA:* 38% complete.

### **WSA Internal QA Program Monitoring**

- *Summer Earn & Learn (SEAL) – C2 GPS:* 100% complete, with a 100% accuracy rate.
- *Re-employment Services and Eligibility Assessment (RESEA) – C2 GPS:* 100% complete with a 99.2% overall accuracy rate (exceeding the expected 90%), with one attribute for continuous improvement:
  - *Data Entry Timeliness – WIT Services* (95.8% accuracy rate). Although the attribute met the 90% accuracy rate, it is a critical instance that could affect an unemployment claimant’s benefits and, therefore, the report highlights it.
- *Informal Testing - All Grants:* 57% complete informally testing progress of items with < 90% accuracy rate.

#### **Other Activities:**

- *Data Sharing Agreements:* QA is reporting this item separately.
- *Risk Assessment:* completed for 2024-2025. We “risked out” TAA due to the low number of active cases.
- *Contractor Profits:* we calculated and approved contractor profits for 2023-2024.

**STAFF RECOMMENDATIONS:**

- To track the progress of actions, QA continues performing informal testing of attributes with accuracy rates below the 90% threshold.
- Staff focus on the most critical items, such as repeat findings or those impacting performance and funding.
- The continuous improvement system includes a feedback mechanism where Programs/Operations, our contractor partners, and QA work together to achieve progress.
- Continuous improvement actions are underway for the items reported for RESEA.

**FINANCIAL IMPACT:** WSA's External Program Monitoring contract with Ms. Christine Nguyen, CPA: \$225,000.

**STRATEGIC OBJECTIVE:** To help ensure that local employment and training activities, including one-stop delivery systems and workforce development services, appropriately use, manage, and invest funds as required and in ways that maximize performance outcomes (WIOA Sec. 107(d)(8); WIOA Sec. 134(2)(B)(iv); WIOA Sec. 183; WIOA Sec. 185(c)(3); WIOA Sec. 121(3); WIOA Sec. 129(b)(1)(e); TWC's Board Oversight Capacity evaluation, Texas Labor Code §302.048, TWC Rule §Title 40, Part 20, Chapter 802, Integrity of the Texas Workforce System, particularly §802.61; WD 29-15, Chg. 1; TWC Agency-Board Agreements and Grant Contracts).

**ATTACHMENTS:** QA Timelines.



### Estimated Timeline – External Program Monitoring Activities 2024-2025

Initial Estimated Timeline				Actual Timeline						
External Program Monitoring	Duration <sup>++</sup>	Start	Finish	Duration <sup>++</sup>	Effort	Variance	Start	Finish	% Complete	
Estimated Timeline: 2023-2024	241	12/2/2024	11/3/2025				12/2/2024		46%	Comments
COSA - Child Care Services	46	12/2/2024	2/3/2025				12/2/2024		54%	Completion delayed due to TWIST access issues.
COSA - CC QIA	40	1/27/2025	3/21/2025				2/11/2025		38%	Start delayed due to TWIST access issues.
C2GPS - WIOA Adult	46	3/26/2025	5/28/2025							
C2GPS - WIOA Dislocated Worker	46	3/26/2025	5/28/2025							
C2GPS - SNAP	46	5/13/2025	7/15/2025							
C2GPS - NCP	39	6/4/2025	7/28/2025							
SERCO - WIOA Youth	41	7/7/2025	9/1/2025							
C2GPS - TANF/Choices	40	9/3/2025	10/28/2025							
CONSORTIUM - Ready to Work	21	10/6/2025	11/3/2025							

Avg Duration or Effort (days) → 41

Multi-tasking (% days overlapping projects) → 34.0%

**Duration** : total days from start to finish to complete project (includes some holidays); **Effort (or Work)** : actual number of days spent on each project.

#### Modification Notes

<sup>++</sup> The Duration is not equal to the time that the contractors are actively involved in the project - it includes additional internal QA work (e.g., desk and policy review, tool development, etc.).



## Estimated Timeline – Internal Program Monitoring Activities 2024-2025

Initial Estimated Timeline				Actual Timeline						
Internal Program Monitoring	Duration **	Start	Finish	Duration **	Effort	Variance	Start	Finish	% Complete	
Estimated Timeline: 2023-2024	244	11/12/2024	10/17/2025	16	32	Duration	11/12/2024		86%	Comments
C2GPS - SEAL	34	11/12/2024	12/27/2024	16	11	-18	11/12/2024	12/3/2024	100%	Completed ahead of schedule.
C2 GPS - RESEA	34	12/3/2024	1/17/2025	31	21	-3	12/3/2024	1/14/2025	100%	Completed ahead of schedule.
Informal Reviews - Follow up on Repeat Findings	63	1/7/2025	4/3/2025				1/7/2025		57%	
SNAP	34	4/4/2025	5/21/2025							
PII Walkthroughs and Priority of Service	33	4/30/2025	6/13/2025							
NCP	34	6/16/2025	7/31/2025							
TWC Annual Monitoring	66	8/1/2025	10/31/2025							
Other reviews as needed - TBD										

Avg Duration or Effort (days, excludes Other) → 43 24 16 -19

Multi-tasking (% days overlapping projects) → 18.1% -66.0%

**Duration** : total days from start to finish (includes some holidays); **Effort (or Work)** : actual number of days spent on each project.

### Modification Notes

\*\* The Duration is not equal to the time that the contractors are actively involved in the project - it includes additional internal OA work (e.g., desk and policy review, tool development, etc.)



## MEMORANDUM

To: Executive Committee  
From: Adrian Lopez, Chief Executive Officer  
Presented by: Dr. Ricardo Ramirez, Director of Quality Assurance  
Date: March 7, 2025  
Subject: **TWC Annual Monitoring Update**

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**SUMMARY:** Quality Assurance briefing on TWC's Annual Monitoring. The item does not require Board action.

### **TWC Annual Monitoring**

Not much has changed since the last report. We are still waiting for the TWC monitoring reports. TWC auditors completed the 'performance audit'<sup>1</sup> with an Exit Conference on 10/15/2024, and we include the next steps below.

The Exit Conference identified zero disallowed costs and two potential issues:

- a. **Cash Management:** The Board did not follow bank reconciliation and outstanding check policy, with 30 checks outstanding over ninety (90) days.
- b. **Automation.** The Board did not revoke TWIST access for two (2) employees upon termination within 24 hours (15% error rate, or 2/13).

**Board's Monitoring Certification:** TWC reported they are recertifying WSA's monitoring staff, work, and procedures (except for TAA, due to the low number of participants).

### **Center Walkthroughs**

TWC tested PII, Priority of Service, and Cash Equivalents at Datapoint and Boerne, with the following results:

- **Two instances involving PII:** TWC may not include these in the final report due to the strength of our internal PII control system.
- **Paper Records:** TWC recommended eliminating paper records in the reception area and ensuring the VOS system works appropriately or using an alternate electronic system.
- **Records Retention:** Ensure centers process paper documents for shredding/destruction according to records retention schedules.
- **Priority of Service:** TWC recommended more prominent/multiple notices in reception areas.

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<sup>1</sup> Performance audit within the meaning of generally accepted government auditing standards, or GAGAS (also known as 'Yellow Book,' found here: <https://gaoinnovations.gov/yellowbook/2024/index.html>).

### **Next Steps**

- **TWC's 'Embargoed' Report:** TWC will issue an informational (non-public) copy of the report to the CEO five business days before issuing the final report (around February). The report allows WSA to respond to each finding, if any.
- **Monitoring Letter or Report:**
  - If there are no issues, TWC will issue a letter.
  - If there are issues, TWC will issue a final report via e-mail to the Board Chair, Board Executive Director, designated representatives of the US Dept of Health and Human Services, Dept of Labor, TWC, and other TWC executive staff.
- **Audit Resolution:** Findings from the report, if any, go to TWC's Audit Resolution, which provides the Board with 45 days to resolve the items.

### **Other Monitoring Activities**

**Equal Opportunity:** On Tuesday, WSA received a letter from TWC with a clean report for the review. We will provide the details during the next Committee meeting so that we can add it as a separate agenda item for the Board and include a copy of the letter.

**TWC Trade Adjustment Assistance (TAA):** QA is reporting this item as a separate agenda item.

### **STAFF RECOMMENDATIONS:**

- *Cash Management:* Fiscal has updated cash management procedures to align with policy and is reconciling outstanding checks.
- *Automation:* MIS has increased staff responsible for ensuring WSA promptly discontinues user access.
- *Center Walkthroughs:*
  - *PII:* QA, Program/Operations, and partners at the Centers will continue the walkthrough system that we implemented and which TWC has validated.
  - *Paper Records:* The staff is automating documents and ensuring that everything is electronic, and they are implementing procedures so that the documents received at the front are immediately routed to the secured area.
  - *Records Retention:* WSA staff are currently processing the files for Safesite storage and disposal.
  - *Priority of Service:* Marketing is currently working on printing the notices.

**FINANCIAL IMPACT:** None.

**STRATEGIC OBJECTIVE:** To help ensure that local employment and training activities, including one-stop delivery systems and workforce development services, appropriately use, manage, and invest funds as required and in ways that maximize performance outcomes (WIOA Sec. 107(d)(8); WIOA Sec. 134(2)(B)(iv); WIOA Sec. 183; WIOA Sec. 185(c)(3); WIOA Sec. 121(3); WIOA Sec. 129(b)(1)(e); TWC's Board Oversight Capacity evaluation, Texas Labor Code §302.048, TWC Rule §Title 40, Part 20, Chapter 802, Integrity of the Texas

Workforce System, particularly §802.61; WD 29-15, Chg. 1; TWC Agency-Board Agreements and Grant Contracts).

**ATTACHMENTS:**

None



## MEMORANDUM

To: Executive Committee  
From: Adrian Lopez, Chief Executive Officer  
Presented by: Rebecca Espino Balencia, Director of Ready to Work  
Date: March 7, 2025  
Subject: Ready to Work Monitoring

**SUMMARY:** The item does not require Board action. The Technical Assistance Review was conducted by the City of San Antonio's Workforce Development Office. The TAR included the following: intake, case management, placement, and performance outcome.

### Annual Technical Assistance Review

The City of San Antonio, Workforce Development, Ready to Work team began this review in July of 2024 and completed January of 2025.

#### Program Year 2024:

*Ready to Work (RtW)* –All subagencies are 100% complete. The process helps ensure we meet City standards. All subagencies, AVANCE, C2 Global Professional Services, Chrysalis, Family Service Association, San Antonio Food Bank, TAMUSA, and YWCA.

**Area of Review:** Intake, Case Management, Placement, and Program Performance.  
WSA is allowed to respond to any items listed as a result of the review, if any.

#### Review Checklist:

- WSA was able to respond to each item.

**Review Response:** WSA responded to all checklist items.

#### STAFF RECOMMENDATIONS:

- No Performance Improvement Plan was implemented by COSA. They were satisfied with all responses.
- Staff focuses on the most critical items, such as repeated concern; all subagencies review and assign 311 referrals within 48 hours as listed in the scope of services.
- Continuous improvement actions are underway for the item. We are monitoring all referrals twice per day to ensure referrals are being assigned and contacted as required. WSA meets with all Subagencies on Mondays. The agenda includes tips and reminders on items covered and collected on the TAR checklist.

**FINANCIAL IMPACT:** No financial impact and no disallowed costs were reported.

**STRATEGIC OBJECTIVE:** To ensure our subagencies effectively manage, support, and maintain client information and performance outcomes, thus meeting the needs of our community and employer talent pipelines.



## MEMORANDUM

**To:** Executive Committee  
**From:** Adrian Lopez, CEO  
**Presented By:** Teresa Chavez, COO  
**Date:** March 7, 2025  
**Subject:** Program Briefing

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**Summary:** The workforce service staff is actively planning and preparing special initiatives, including WCI events, Summer Earn and Learn, and the Externship for Teachers program. Additionally, efforts are underway to expand the Student HireAbility Navigator program through coordinated activities with Vocational Rehabilitation.

### **Special Grants & Other Initiatives:**

**Summer Earn and Learn:** Summer Earn and Learn provides students with unique abilities the opportunity to gain paid, on-the-job workplace readiness training, hands-on work experience, and transferable skills. This year, the wage for participants has increased to \$13.50, enhancing engagement and aligning with WSA's local plan. The program is already off to a strong start, with 60 participants in the pipeline and approximately 40 employer worksites.

**Student Hireability Navigators:** Alamo Helping Hands took place February 6, 2025, WSA and hosted Northside, Edgewood, Harlandale, SAISD, and South San School Districts at Pre-K 4 SA designed to increase awareness of available disability services, provide career and education resources, and foster inclusive employment opportunities. This event empowered individuals by offering valuable information on education, employment, and community support, helping them achieve greater independence and career success.

### **Workforce Commission Initiatives:**

#### **CTE Showcase – February 24, 2025**

- a. Hosted in recognition of Career & Technical Education (CTE) Month, this first-ever event will celebrate CTE programs and their role in preparing youth for diverse career paths.
  - b. Aimed at generating excitement and awareness among middle school students.
2. Alamo Future Fest – Date TBD
- a. Designed for opportunity/disconnected youth (not currently working or in school), this event will offer career exploration, industry exposure, and pathways to employment, college programs, vocational training, and certifications.

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- b. Employers looking to hire from this population will be invited.
  - 3. Youth Apprenticeship Week Event – May 5-9, 2025
    - a. Part of the nationwide Youth Apprenticeship Week (YAW) initiative, which highlights the value of Registered Apprenticeships for youth ages 16-24.
    - b. Focused on engaging rural communities and promoting regional apprenticeship programs.
  - 4. National Intern Day Celebration – July 24, 2025
    - a. Aimed at high school juniors, seniors, and college students, this event will connect youth with internship opportunities to reinforce skills through work-based learning.
    - b. Employers will showcase available internships to foster real-world experience and career readiness.
- Additional Youth Engagement Initiatives:**
- Ongoing Outreach Efforts
    - o The Youth Team has launched a series of outreach activities, including TX FAME promotions and Workforce One engagement, to strengthen youth participation.
    - o Continued efforts will focus on maximizing community impact.
  - Upcoming Outreach Events
    - o San Antonio Stock Show & Rodeo Ag-Mechanics Trade Show (February 21-22, 2025) – WSA's Youth Team will engage students interested in skilled trades.
    - o 5th Annual Trades Discovery Day (March 1, 2025) – Hosted at the Boys & Girls Club's Eastside Clubhouse, this event will provide youth (ages 13-18) with hands-on experiences in trades such as plumbing, electrical work, and demolition.
    - o Alamo City Electrathon (ACE) Race (April 12, 2025) – WSA is seeking sponsors and event-day volunteers for this STEM-focused event at the San Antonio Police Academy Training Center.
    - o Alamo Helping Hands- On February 6, 2025, WSA will host Northside, Edgewood, Harlandale, SAISD, and South San School Districts at Pre-K 4 SA designed to increase awareness of available disability services, provide career and education resources, and foster inclusive employment opportunities. This event will empower individuals by offering valuable information on education, employment, and community support, helping them achieve greater independence and career success.

**Externship for Teachers:** WSA was recently awarded the Externship for Teachers grant, which will run through the summer until August. This grant supports collaboration with



Independent School Districts (ISDs) and enhances educators' workforce development knowledge. Teachers will integrate their externship experiences into lesson plans, incorporating hands-on learning to better prepare students for future careers.

WSA staff have established partnerships among educators, ISDs, and various industries to create a strong workforce system by bridging academic skills with real-world applications. As the new program year approaches, WSA is seeking additional partners to expand its reach. The program aims to engage 100 teachers across 25 ISDs.

**Fiscal Impact:** Investments in special projects and initiatives have historically yielded a high return on investment across the 13-county region. The completion of these projects will highlight their impact and ROI in these memos.

**Recommendation:** Recommendation is for WSA staff to review internal processes for supporting employers and community partners in leveraging TWC funded opportunities. This includes establishing standard performance measures demonstrating the proposed program's contribution to increasing employment within the sector-based model. WSA is also exploring the collection of data from grant funded initiatives to determine the collective contribution across existing grant programs.

**Next Steps:** Continue collaborating with staff, partners, the board, and TWC to enhance and optimize the services offered through the initiatives mentioned above.



## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented By:** Teresa Chavez, COO

**Date:** March 7, 2025

**Subject:** End of Year Performance Report and Next Steps

---

**Summary:** On December 18, 2024, the end of year MPR was released. TWC provided some explanation with the report describing challenges experienced and guidance on what to expect in the future reports. Boards experienced a change in case management system of April 2023, a performance negotiation, performance adjustment, and reporting difficulties due to change in WF CSM.

**Performance:** There are fifteen siloed measures tracked across all WIOA programs (Adult, Dislocated Worker, and Youth) in the Monthly Performance Report (MPR) by TWC. These measures include Claimant Re-Employment within 10 Weeks, Employers Receiving Workforce Assistance from Boards or Self-Services, Choices Full Engagement Rate, and the Average Number of Children Served per Day Combined. Each measure has a specific definition outlined in the presentation.

Performance targets vary by measure, with some requiring 90% of the target performance to be met and others 95%. WIOA measures have start periods that run either from July to June or January to December, with the End of Year Report concluding in August. Meanwhile, Claimant Re-Employment within 10 Weeks, Employers Receiving Workforce Assistance, Choices Full Engagement Rate, and the Average Number of Children Served per Day Combined follow a rolling start period from the previous month to the current year, with their End of Year Report concluding in September.

For the 2024 board contract year, WSA did not meet four siloed performance measures and one statewide measure, Employed Quarter 4 Post Exit (Adult), Credential Rate (Adult), Employed Quarter 4 Post Exit (DW), Credential Rate (DW), and Credential Rate for statewide participants.

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Boards who have not met measures on the end of year report, are awaiting TWC's decision to move forward with sanctions given this year's unique challenges.

*Change in Case Management System:* In April 2023, TWC transitioned from the TWIST system to Work in Texas, transferring programs individually and freezing TWIST usage for four days. This approach led to confusion regarding which cases were successfully transferred. Additionally, for programs requiring time-sensitive outreach, the transition disrupted daily operations. As a result, cases were lost, data entry backlogs emerged, some case documents were deleted, and employee user access was restricted, limiting the ability to make necessary corrections.

*Performance Negotiations, Adjustment, and Reporting Issues:* WIOA Section 116 requires states to negotiate performance targets with local boards using a statistical model that accounts for each board's unique caseload and economic conditions. This process was last conducted two years ago for BCY23 and BCY24 (referred to as PY22 and PY23 by the U.S. Department of Labor).

In addition to the initial negotiations, WIOA mandates an end-of-year adjustment to these targets. The initial targets are based on assumptions about caseload composition and economic conditions. In the first year, these assumptions are generally accurate for most measures—except for Measurable Skill Gains (MSG)—due to the lag in data, which allows for a clearer picture of who the Exiters are.

To comply with this requirement, TWC applied the statistical model to the actual caseload and economic conditions for the year in question. However, this year presented unique challenges due to the transition to the new WF CMS, the complete rebuild of the reporting system, and the corresponding delays in report availability. TWC recognized the need for end-of-year adjustments due to extraordinary circumstances.

As a result, while TWC adjusted targets upward where the statistical models indicated an increase was necessary, a 5% cap on the amount targets could increase from the originally negotiated values.

Lastly, TWC guidance and training to Boards is limited as the Chief Analytics Officer, who built the new case management system, has resigned from TWC. Now, the Boards are communicating with TWC on service and reporting issues.

Below is the end of year performance adjusted to display the target changes by measure.



## Performance Target Changes

	Absolute Chg	
	EOY23-Sep 23	Dec23- EOY
Employed Q2 Post Exit - Adult (DOL)	1.80%	-0.90%
Employed Q4 Post Exit - Adult (DOL)	-4.30%	1.70%
Median Earnings Q2 Post Exit - Adult (DOL)	\$700.00	-\$1,160.00
Credential Rate - Adult (DOL)	9.20%	-\$0.09
Measurable Skills Gains - Adult (DOL)	-0.60%	-\$0.03
Employed Q2 Post Exit - DW (DOL)	-5.10%	4.80%
Employed Q4 Post Exit - DW (DOL)	0.00%	1.50%
Median Earnings Q2 Post Exit - DW (DOL)	-\$700.00	-\$325.00
Credential Rate - DW (DOL)	9.40%	\$0.00
Measurable Skills Gains - DW (DOL)	-2.00%	\$0.02
Employed/Enrolled Q2 Post Exit - Youth (DOL)	8.30%	-6.10%
Employed/Enrolled Q4 Post Exit - Youth (DOL)	6.40%	-8.20%
Median Earnings Q2 Post Exit - Youth (DOL)	\$200.00	\$200.00
Credential Rate - Youth (DOL)	9.00%	-\$0.26
Measurable Skills Gains - Youth (DOL)	-0.50%	-\$0.18
Employed/Enrolled Q2 Post Exit - C&T Participants	0.00%	0.00%
Employed/Enrolled Q2-Q4 Post Exit - C&T Participants	0.00%	0.00%
Credential Rate - C&T Participants	0.00%	0.00%
<b>Claimant Reemployment within 10 Weeks</b>	34.00%	-33.89%
<b>Employers Receiving Texas Talent Assistance</b>	na	2,303

The absolute change in targets is above. The four measures Alamo did not meet varied in change as little as less than 1% up to 4%.

TWC-Contracted Performance		EOY
a	Employed Q2 Post Exit - Adult (DOL)	MP
d	Employed Q4 Post Exit - Adult (DOL)	-P
u	Median Earnings Q2 Post Exit - Adult (DOL)	MP
l	Credential Rate - Adult (DOL)	-P
t	Measurable Skills Gains - Adult (DOL)	+P
d	Employed Q2 Post Exit - DW (DOL)	MP
w	Employed Q4 Post Exit - DW (DOL)	-P
i	Median Earnings Q2 Post Exit - DW (DOL)	MP
r	Credential Rate - DW (DOL)	-P
s	Measurable Skills Gains - DW (DOL)	MP
k	Employed/Enrolled Q2 Post Exit - Youth (DOL)	MP
l	Employed/Enrolled Q4 Post Exit - Youth (DOL)	MP
r	Median Earnings Q2 Post Exit - Youth (DOL)	MP
y	Credential Rate - Youth (DOL)	+P
o	Measurable Skills Gains - Youth (DOL)	+P
u	Employed/Enrolled Q2 Post Exit - C&T Participants	MP
t	Employed/Enrolled Q2-Q4 Post Exit - C&T Participants	MP
h	Credential Rate - C&T Participants	-P

The table above shows the measures we did not meet at the end of year report.



<b>TWC-Contracted Performance</b>	<b>EOY</b>
Employed Q2 Post Exit – Adult (DOL)	48
Employed Q4 Post Exit – Adult (DOL)	-6
Median Earnings Q2 Post Exit – Adult (DOL)	\$55.69
Credential Rate – Adult (DOL)	-9
Measurable Skills Gains – Adult (DOL)	17
Employed Q2 Post Exit – DW (DOL)	26
Employed Q4 Post Exit – DW (DOL)	-2
Median Earnings Q2 Post Exit – DW (DOL)	\$1,449.37
Credential Rate – DW (DOL)	-4
Measurable Skills Gains – DW (DOL)	7
Employed/Enrolled Q2 Post Exit – Youth (DOL)	9
Employed/Enrolled Q4 Post Exit – Youth (DOL)	7
Median Earnings Q2 Post Exit – Youth (DOL)	\$753.99
Credential Rate – Youth (DOL)	21
Measurable Skills Gains – Youth (DOL)	56
Employed/Enrolled Q2 Post Exit – C&T Participants	614
Employed/Enrolled Q2-Q4 Post Exit – C&T Participants	653
Credential Rate – C&T Participants	-17

The final snapshot displays the number of clients the board missed the measure by.

During the transition between case management systems, the board implemented preventative measures to enhance performance in preparation for target negotiations. These efforts included providing technical assistance training to contract staff, coordinating TWC walkthroughs of the new system, conducting Train-the-Trainer activities, and holding regular staff meetings to troubleshoot system issues. Additionally, the board-maintained transparency with contract staff by documenting obstacles and offering technical assistance whenever possible.

In conclusion, boards across the state have recognized discrepancies in the data provided in the MPR. Shared concerns amongst the boards have been voiced with the TWC department responsible for reporting. While TWC evaluates their next steps, Alamo has attended monthly meetings with TWC. We have been informed that our board's next steps have not been determined yet.

**Fiscal Impact:** If TWC decides to impose disciplinary action on the Board, it could have significant consequences on the Board's ability to secure future grant funding. Such actions may result in



reduced eligibility for certain funding opportunities, restrictions on grant allocations, or increased oversight in financial and programmatic operations.

**Recommendation:** Board staff will work closely with contractors to assess current performance levels and identify key areas for improvement. This collaboration will involve analyzing data, reviewing service delivery methods, and implementing strategic adjustments to enhance overall effectiveness. By evaluating necessary steps forward, the Board and contractors will develop targeted action plans aimed at not only meeting but exceeding performance expectations. Additionally, ongoing communication, training, and support will be provided to ensure continuous improvement and sustained success in service delivery.

**Next Steps:**

- Meet with contract staff to review factors that negatively impacted performance.
- Conduct data validation at both the Board and contractor levels.
- Communicate findings with TWC.
- Continue providing technical assistance training to contractors.



## MEMORANDUM

**To:** Executive Committee

**From:** Adrian Lopez, CEO

**Presented By:** Kristen Rodriguez – Interim Director of Procurement and Contracts Management

**Date:** February 28, 2025

**Subject:** New Lease for Kenedy Workforce Center Facility

---

**Summary:** Discussion and Possible Action: Workforce Solutions Alamo (WSA) – Board Staff recommends approval of a Facility Lease at 491 N. Sunset Strip, Suite 108, Kenedy, Texas. The estimated annual rent for the 1,750 square foot facility inclusive of maintenance, utilities, taxes, and insurance (NNN), is \$77,400, subject to final negotiations.

**Analysis:** Given that the current location effectively meets WSA's needs, the Agency is pursuing re-procurement of the existing space. The commercial lease was set to expire on January 31, 2025, and we are currently exercising the holdover option to complete the negotiations. In compliance with TWC's Financial Manual for Grants Contracting (FMGC §J.6.1) and Uniform Guidance (UG), the initial planning phase involves a comprehensive assessment of facilities that fulfill our current requirements. WSA's essential business needs encompass:

1. Strategic location (considering customer demographics, business proximity, and local safety)
2. Public transportation accessibility
3. Adequate parking facilities
4. Sufficient space allocation
5. Ground floor access
6. Potential for customization or expansion
7. ADA compliance

To ensure a thorough and competitive selection process, WSA initiated the following actions in April 2024:

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1. Issued a Request for Information (RFI) to potential Lessors and Realtors, facilitating market research and identifying suitable properties for workforce program administration.
2. Engaged PCR Brokerage San Antonio, LLC. dba. Partners, WSA's contracted Real Estate Broker, to conduct a comprehensive Competitive Market Analysis.
3. Organized in-person site visits to prospective locations, involving both WSA Board Staff and the contracted broker to evaluate each option firsthand.
4. Proactively reached out to existing and potential partners to explore additional opportunities and gather valuable insights.

This approach ensures WSA considers all viable options while prioritizing the most suitable and cost-effective solution for the agency's program needs.

**Alternatives:** None

**Fiscal Impact:** The projected annual rent is estimated at \$77,400, though this figure is subject to negotiation. The proposed lease structure includes an initial 3-year term, followed by up to two (2) additional 3-year renewal options. This arrangement allows for a potential maximum lease duration of twelve (12) years, encompassing all renewals. The final rental amount and all specific terms will be determined during negotiations and explicitly detailed in the Lease Agreement.



## Cost Analysis:

# partners

Alamo Workforce Development - Kenedy

By: Dan Gostylo

December 2, 2024

Map #	Property	Address	Total Size (SF)	Available (SF)	Base Rent (PSF)	Est. OPEX	Est. Monthly Rent	Comments
1	Current WSA Space	491 N. Sunset Strip, Suite 108	11,000	1,750	\$11.54 Modified Gross	\$2.50 (E & J)	\$2,048.00	Current space at current base rental rate plus estimated opex (electric and janitorial)
2	Kenedy Station	131 Business Park Drive	+/- 15,000	1,800	\$19.00 NNN	\$9.32	\$4,248.00	Small existing shopping center across the highway from WSA current location
3	Downtown Main Street	219 W. Main Street	3,000	3,000	\$6.00 NNN	\$4.72	\$2,680.00	Consists of 1,500 SF of office/retail space and 1,500 SF of warehouse space
4	Downtown Main Street	213 W. Main Street	2,800	2,800	\$10.71 Modified Gross	\$2.50	\$3,083.00	

**Recommendation:** As a result of comprehensive efforts, the property at 491 N. Sunset Strip, Suite 108, Kenedy, Texas, is currently recommended on a best-value basis. Upon approval of this action, the Procurement and Contracts department will finalize negotiations in coordination with its Contracted Broker, Legal Services, and the Landlord for the execution of the new lease agreement and the re-procurement of the facility located at 491 N. Sunset Strip, Suite 108, Kenedy, Texas.



**Next Steps:** Board staff will finalize negotiations and lease execution for the new agreement in Kenedy, Texas, in coordination with its Contracted Broker, Legal Services, and the Landlord.

**Attachments:** Lease Procurement Checklist

### Lease Procurement Checklist

Name of Landlord/Contractor/Vendor:	MIN, Limited
Property Location and Address:	491 N. Sunset Strip, Suite 108
	Kenedy, Texas 78119
Time Frame (current lease dates)	1 Jan 19 – 31 Jan 25
New Contract or Renewal:	New Contract
If Renewal, what Renewal #:	NA
# of Renewals Remaining:	0

Item	Description	Responsibility	Begin	Completed
1	Needs Determination (to include VRS)	Facilities	Feb '24	Feb '24
2	Market Research/RFI Supplementing broker's/agents use of listing services	Purchasing	Feb '24	April '24
3	Competitive Market Analysis (CMA)	Broker	Feb '24	Dec '24
4	Independent Cost Assessment	Purchasing	Mar '24	Mar '24
5	Technical Evaluation /Analysis	Purchasing	Mar '24	Mar '24
6	Broker identifies commercial properties that meet WSA specs.	Broker	Feb '24	Aug '24
7	Broker/agent schedules site visits and attends with WSA if warranted.	Broker /Purchasing	Feb '24	Aug '24
9*	Broker agent requests a proposal from landlord for the property or properties that best meet the specifications.	Broker	Mar '24	Dec '24
10	WSA reviews the broker/agent recommendation and decides whether to execute a lease.	Purchasing / CEO	Mar '24	Dec '24
11	Memo of Recommendation prepared and submitted to WSA Board of Directors for approval.	Purchasing	Mar '24	Jan '25



Item	Description	Responsibility	Begin	Completed
12	Broker/agent negotiates lease terms with the landlord on behalf of WSA to include required lease provisions.	Broker /Purchasing	Mar '24	Jan 25'
13	Lease - Legal Review	Legal	Mar '24	Jan 25'
14	Broker/agent assists WSA with the oversight of any alterations or improvements required to make space ready for move-in, (Build-out).	Broker /Purchasing	NA	NA
15	Procurement to retain all documentation to include Market Analysis and all related files.	Purchasing	Mar '23	Jan 25'
<b>LEASE AGREEMENT</b>				
Evidence of Agreement Terms				
<u>  X  </u> 3 Year Term <u>      </u> 5 Year Term				
Special Terms and Conditions List: _____ _____ _____				
Board Approval of Agreement    Yes <input type="checkbox"/> No <input type="checkbox"/> Supporting Evidence: Board Meeting Minutes/				

- WSA shall conduct Initial market research to determine whether to supplement the use of listing services with public advertisement of the grantee's property search.
- An example of the steps a grantee might take when conducting a lease procurement with the full assistance of a real estate broker/agent includes the above.
- As noted, these are sample steps. A grantee's actual process may differ, provided it results in a procurement that provides for full and open competition and conformance with other UG and UGMS procurement standards.



## MEMORANDUM

**To:** Executive Committee  
**From:** Adrian Lopez, CEO  
**Presented By:** Kristen Rodriguez, Interim Director, Procurement and Contracts Management  
**Date:** March 7, 2025  
**Subject:** Discussion and Possible Action: Marketing/Outreach Services Contract

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**Summary:** The Workforce Solutions Alamo (WSA) - Board of Directors is presented with a proposal to award a contract to Texas Creative for Marketing/Outreach Services on an as needed basis in the estimated aggregate amount of \$800,000 over a 4-year span. The contract term will be effective April 1, 2025, through March 31, 2026, with the option to renew for up to three (3) one-year periods upon written mutual consent of Workforce Solutions Alamo and the selected Contractor.

This action aligns with Supporting Texas Talent and Economic Growth - Goal 2, Service Optimizers, in our strategic plan.

**Analysis:** The Contractor will provide comprehensive services to assist WSA in Marketing/Outreach Services and shall comply with the following required elements:

1. Collaborate with WSA Director of Public & Government Relations, department staff, or designee to develop agency and/or program material on as needed basis.
2. Develop board and/or program material creative assets and collateral such as leave-behinds, posters, video production (for social media) and digital ads. The contractor shall deliver KPI reports for all ad campaigns. Contractor will coordinate with WSA for printing services.
3. Support Workforce Solutions Alamo staff in the development of content for WSA and TX FAME Alamo to promote programs, events, and campaigns, including, but not limited to an annual report, websites, and social media channels.

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4. Develop creative strategies to align and improve creative assets that are needed for general outreach, engagement, and enrollment
5. Assist in the development of Sector-Based Model Marketing collateral. Develop a strategic plan with an emphasis on manufacturing, healthcare, education, cybersecurity, information technology, construction, oil/gas, aerospace, and other industries.
6. Design and coordinate graphics and wall designs and in the installation of said items for WSA career centers
7. Contractor will assist in the development of social media calendar in consultation with WSA departments, including Business Solutions team events so that it has a diverse landscape. Social media calendar should include Sector-Based Model industries.
8. Public Relation Functions - Contractor will assist in planning and attending Public Relations Events such as: Ribbon cutting, open houses, grand openings, media exclusives, etc.
9. On an as needed basis serve as a public relations / communication consultant to promote Workforce Solutions Alamo's programs, initiatives, and/or events for community outreach purposes.
10. Marketing/Outreach Review to include a full review of all marketing efforts, which will occur every 6 months. This review will identify opportunities for WSA to enhance their marketing/outreach services.
11. These services will not include media buys.

A Request for Proposals (RFP) notice was published on WSA's Procurement portal and in the Texas Electronic State Business Daily (ESBD) on December 17, 2024. Procurement and Contracts also sent an email inviting potential respondents to participate in the RFP, which was posted on the eBid portal, Bonfire. Due to the high level of interest and the number of inquiries received, WSA extended the submission deadline from January 22, 2025, to January 24, 2025. By the revised deadline, WSA received twenty-one (21) proposals, which were then evaluated by internal assessors in accordance with the RFP's specifications and requirements.



Oral presentations were held on February 12, 2025, showcasing the top 4 competitive ranges for the final rankings. The selection was based on the vendor offers proven expertise and a track record of successful campaigns, ensuring high-quality execution and measurable results. With a clear, scalable approach and performance metrics in place, WSA can effectively track the return on investment.

**Alternatives:** Any alternative to not approving the recommendation could lead to significant risks and challenges across various areas. This could include delays in starting the contract, difficulties in collaboration and information sharing, impacts on financial strategy and planning, challenges in maintaining accurate financial reporting and compliance, obstacles in effective risk management, and disruptions to strategic decision-making processes.

**Fiscal Impact:** The contract will have an initial term of one (1) year, with the option for up to three (3) additional renewals. The initial term will run from April 1, 2025, to March 31, 2026, with subsequent 12-month renewal periods available upon mutual written consent from both parties. The total contract expenditure under this agreement is estimated to be \$800,000 over a 4-year term unless adjusted by a signed amendment approved by all parties.

Item	April 25' – March 26'	April 26' – March 27'	April 27' – March 28'	April 28' – March 29'
<b>Estimated Annual Contract Amount</b>	\$200,000	\$200,000	\$200,000	\$ 200,000
<b>Contract Total</b>				<b>\$800,000</b>

Below is the breakdown of the anticipated costs for the term of the contract:

**Recommendation:** After careful consideration, it is recommended to award the contract to Texas for the Creative Marketing/Outreach Services on an as needed basis in the Alamo Workforce Development Area. In addition to their proven track record with our previous centers, they offered the lowest hourly price, making them the most cost-effective choice. Their familiarity with our vision allows us to move forward without the delays or learning curve associated with onboarding a new vendor. By continuing our partnership with Texas Creative, we aim to streamline the design process and ensure that each new center is completed seamlessly and on time.

**Next Steps:** Once this action is approved, WSA Procurement and Contract Management (PCM), in collaboration with the WSA Public and Government Relations Team, will begin negotiations and oversee the execution of contracts for Marketing/Outreach Services.



**Attachments:** RFP 2025-002 Proposal Tabulation

## RFP 2025-002 - Marketing/Outreach Services

	Total	QUALITY & EXPERIENCE	MEET THE NEEDS OF THE ORGANIZATION	PRICE	HUB
<b>Supplier</b>	<b>/ 100 pts</b>	<b>/ 30 pts</b>	<b>/ 45 pts</b>	<b>/ 20 pts</b>	<b>/ 5 pts</b>
Anderson Marketing Group	86.63	29.33	43.5	8.8	5
Texas Creative	85.9	29.33	42	9.565	5
Outreach Strategists, LLC	85.44	29.33	45	6.111	5
The Voice Society	81.35	28.67	37.5	10.19	5
F. Guerra DeBerry, LLC dba GDC Marketing & Ideation	78.29	27.33	37.5	8.462	5
GAVIN	75.05	28	40.5	6.548	0
Herospace	73.5	20	37.5	11	5
CONNECTIVE Agency	73.19	27.33	33	7.857	5
Hot Dog Marketing	72	26.67	33	7.333	5



<b>Blue People LLC</b>	71.83	23.33	28.5	20	0
<b>Web-Hed Technologies, LLC.</b>	71.76	24	34.5	8.263	5
<b>Roads Consulting Group</b>	71.54	22.67	42	6.875	0
<b>Strategic and Creative Marketing Inc.</b>	70.33	26.67	34.5	9.167	0
<b>MediaCross, Inc.</b>	69.5	24.67	37.5	7.333	0
<b>Highspirits Essentials inc.</b>	68.69	21.33	34.5	7.857	5
<b>Public Alliance LLC</b>	66.97	18.67	34.5	8.8	5
<b>Prolific Success Events &amp; Consulting</b>	66.29	22	33	6.286	5
<b>Applichat Limited</b>	63.67	22.67	30	11	0
<b>Jupiter Unlimited</b>	59.18	21.33	31.5	6.346	0



The Deciding Factor	58.45	20.67	31.5	6.286	0
The Marilla Group	58.33	21.33	31.5	5.5	0



## MEMORANDUM

To: Executive Committee  
 From: Adrian Lopez, CEO  
 Presented by: Gabriela Navarro Garcia, Controller  
 Date: March 7, 2025  
 Regarding: Financial Report – December 31, 2024

**SUMMARY:** Financial reports through December 31, 2024, have been prepared for the fiscal year October 1, 2024, through September 30, 2025; the straight-line expenditure benchmark is 25% of the budget. The board regularly analyzes Corporate and Facility Budgets in addition to the Grant Summary Report to monitor budgets against actual expenditures.

### CORPORATE BUDGET:

Expenditures	% Expensed	Comments
Personnel	21.77%	This is an acceptable variance. Staff training and development will take place within the following months.
Board Facility	23.09%	The WSA Board facility budget is acceptable and within the budget.
Equipment	16.47%	The most significant budget surplus is cloud-based infrastructure. Expenditures will be reflected in January.
General Office Expense	16.02%	The primary budget surplus is due to timing differences, and the insurance contingency.
Professional Services	12.82%	This variance consists in a timing difference in monitoring expenditures, expected to start in July. Legal and professional services related to temporary staffing are utilized as needed to support the agency.
Board Training & Development	12.78%	The board is currently finalizing travel closeouts from the TWC conference. Expenditures will be reflected in the following month.
<b>Total Expense</b>	<b>19.47%</b>	

Corporate expenditure represents 19.47% of overall expenditures, demonstrating a budget surplus of approximately 5.53% through December 2024.

**FACILITIES AND INFRASTRUCTURE BUDGET:**

<b>Expenditures</b>	<b>% Expensed</b>	<b>Comments</b>
Overall	19.64%	The facility expenditures represent 19.64% of the overall expenditures, reflecting a 5.53% straight-line budget surplus. This is an acceptable variance.

**ACTIVE GRANTS ONLY (TWC):**

<b>Grant</b>	<b>End date</b>	<b>Budget</b>	<b>% Expense</b>	<b>Comments</b>
24WOR Rapid Response	06/30/2025	\$58,320	89.19%	The board is monitoring any critical changes in layoffs that may affect our current funds. We will request additional funds if needed based on ongoing projections.
25TRA Trade Act	09/30/2025	\$5,000	55.36%	The board was awarded \$22,000 less than historical funding. We are monitoring expenditures to provide service delivery to our current clients.
24WPA Wagner-Peyser Employment Services	02/28/2025	\$1,006,695	93.57%	The board has received a two-month extension, and we are in the process of requesting additional funds to cover our projected cost. The new grant is expected to start February 1, 2025, and we are waiting for the TWC award letter.
25CCQ – Child Care Quality	10/31/2025	\$4,412,859	9.28%	The board expects higher expenditures within the next couple of months by purchasing supplies/materials to TRS providers. The board would continue to monitor projections to fully spend the grant.
24REA- Reemployment Services	02/28/2025	\$1,057,573	89.96%	This grant was extended from 9/30/24 to 2/28/25 and added \$137,500 to the contract. The board is expected to expend funds by the end of the contract.

24WOS – Military Family Support	12/31/2024	\$221,896	98.03%	The contract has ended and \$4,369 was not utilized. The board will not be receiving a new contract for Military Family Support as the program has sufficed. We will continue to monitor other funding opportunities to support these individuals.
24REO – PROWD Grant	09/30/2027	\$1,174,500	5.46%	This is a multi-year grant, and expenditures are expected to increase in the calendar year 2025.
25VR1 - SEAL	09/30/2025	\$900,000	.98%	This grant will begin activities in the next few months and will reflect bigger expenditure in the summer.
24PWE – Paid Work Experience	9/30/2025	\$187,500	0%	Program staff expect to receive referrals soon which will increase the utilization rate of the grant.

#### **ACTIVE GRANTS ONLY (NON-TWC):**

<b>Grant</b>	<b>End date</b>	<b>Budget</b>	<b>% Expense</b>	<b>Comments</b>
SAF22 Workforce Academy	12/31/2024	\$100,000	87.01%	The board has requested an extension to utilize the remaining funds, otherwise we expect to return \$12,995.
CAP22 Capacity Building	12/31/2024	\$37,500	58.11%	This grant was intended for capacity building, focusing on staff performance, technology management, and strategic planning. We will be returning \$15,710 of unutilized funds.
TOY24 Toyotetsu	02/28/2025	\$16,100	6.83%	Funds were used to provide incentives to RTW participants with job placements. Grant has been extended through February 2025 and expected to spend all available funds.
22RTW	5/31/2025	\$65,554,565	43.95%	Expenditures will continue to be realized in the following months as enrollment and activities increase. We are projected to spend over the FY25 estimated budget.

#### **ATTACHMENTS:**

Financial Statements – December 31, 2024

Workforce Solutions Alamo  
Corporate Expenditure Report  
FY 2024 - 2025  
as of December 2024

	Annual Budget	YTD Expenses	% Expensed	Balance
<b>PERSONNEL</b>				
Salaries/Wages	\$ 4,697,557	\$ 1,091,406	23.23%	\$ 3,606,151
Fringe Benefits	1,357,103	260,448	19.19%	1,096,655
Staff Travel	121,900	17,167	14.08%	104,733
Staff Training & Development	161,000	10,574	6.57%	150,426
<b>PERSONNEL SUBTOTAL:</b>	<b>\$ 6,337,560</b>	<b>\$ 1,379,595</b>	<b>21.77%</b>	<b>\$ 4,957,965</b>
<b>BOARD FACILITY</b>				
Rent	\$ 449,665	\$ 103,807	23.09%	\$ 345,858
Storage	\$ 15,000	\$ 3,513	23.42%	\$ 11,487
Maintenance and Repair	7,900	1,790	22.66%	6,110
<b>BOARD FACILITY SUBTOTAL:</b>	<b>\$ 472,565</b>	<b>\$ 109,110</b>	<b>23.09%</b>	<b>\$ 363,455</b>
<b>EQUIPMENT/RELATED COSTS</b>				
Equipment Purchases	\$ 65,000	\$ 1,111	1.71%	\$ 63,889
Equipment Rental	17,399	3,828	22.00%	13,571
Repair & Maintenance	-	-	0.00%	-
Software Licenses & Maintenance	150,000	33,342	22.23%	116,658
<b>EQUIPMENT/RELATED COSTS SUBTOTAL:</b>	<b>\$ 232,399</b>	<b>\$ 38,280</b>	<b>16.47%</b>	<b>\$ 194,119</b>
<b>GENERAL OFFICE EXPENSES</b>				
Communications	\$ 56,470	\$ 11,668	20.66%	\$ 44,802
Advertising	5,000	-	0.00%	5,000
Insurances	250,000	19,268	7.71%	230,732
Office Supplies	25,000	762	3.05%	24,238
Postage/Shipping/Other	7,500	867	11.56%	6,633
Printing, Binding & Reproduction	15,000	1,066	7.10%	13,934
Publications & Subscriptions	15,000	1,398	9.32%	13,602
Dues	15,000	2,174	14.49%	12,826
Marketing (External)	170,000	31,736	18.67%	138,264
Miscellaneous Costs	20,000	803	4.01%	19,197
Non Federal	100,000	39,021	39.02%	60,979
<b>GENERAL OFFICE EXP SUBTOTAL:</b>	<b>\$ 678,970</b>	<b>\$ 108,763</b>	<b>16.02%</b>	<b>\$ 570,207</b>
<b>PROFESSIONAL SERVICES</b>				
Legal Services-Corporate	\$ 125,000	\$ 12,552	10.04%	\$ 112,448
Legal Services-Other	50,000	3,522	7.04%	46,478
Audit	75,000	-	0.00%	75,000
Monitoring (Contractor)	450,000	48,606	10.80%	401,394
Professional Services	1,200,000	175,565	14.63%	1,024,435
Payroll Fees	50,000	9,701	19.40%	40,299
<b>PROFESSIONAL SERVICES SUBTOTAL:</b>	<b>\$ 1,950,000</b>	<b>\$ 249,946</b>	<b>12.82%</b>	<b>\$ 1,700,054</b>
<b>BOARD EXPENSES</b>				
Board Member Travel	\$ 15,000	\$ -	0.00%	\$ 15,000
Board Member Training/Development	20,000	3,500	17.50%	16,500
Board Meetings & Misc. Costs	10,000	2,250	22.50%	7,750
<b>BOARD EXPENSES SUBTOTAL:</b>	<b>\$ 45,000</b>	<b>\$ 5,750</b>	<b>12.78%</b>	<b>\$ 39,250</b>
<b>TOTAL EXPENSES</b>	<b>\$ 9,716,494</b>	<b>\$ 1,891,444</b>	<b>19.47%</b>	<b>\$ 7,825,050</b>
<b>SUMMARY:</b>				
Personnel	\$ 6,337,560	\$ 1,379,595	21.77%	\$ 4,957,965
Board Facility	472,565	109,110	23.09%	363,455
Equipment/Related Costs	232,399	38,280	16.47%	194,119
General Office Expenses	678,970	108,763	16.02%	570,207
Professional Services	1,950,000	249,946	12.82%	1,700,054
Board Expenses	45,000	5,750	12.78%	39,250
<b>TOTAL CORPORATE EXPENSES</b>	<b>\$ 9,716,494</b>	<b>\$ 1,891,444</b>	<b>19.47%</b>	<b>\$ 7,825,050</b>

Workforce Solutions Alamo  
Facilities & Infrastructure Report  
FY 2024 - 2025  
as of December 2024

Facilities & Infrastructure	Annual Budget		YTD Expenses		% Expensed	Balance	
Workforce Facilities	\$	6,452,970	\$	1,267,389	19.64%	\$	5,185,581
<b>TOTAL FACILITIES EXPENSES</b>	<b>\$</b>	<b>6,452,970</b>	<b>\$</b>	<b>1,267,389</b>	<b>19.64%</b>	<b>\$</b>	<b>5,185,581</b>

Facilities	End of Lease	Note	Facilities	End of Lease	Note
Port SA	4/30/2034		S. Flores	7/31/2028	
O'Connor	10/5/2034		Kerrville	4/30/2029	
Pearsall	10/31/2024		Datapoint	3/31/2030	
Hondo	12/31/2024		Datapoint - Child Care	3/31/2030	
SA Foodbank	12/31/2024		E. Houston	8/16/2030	
Kenedy	1/30/2025		New Braunfels	1/31/2032	
Pleasanton	1/31/2025		Bandera	1/14/2028	
Floresville	7/31/2026				
Boerne	11/30/2026				
Seguin	1/15/2027				

Workforce Solutions Alamo  
Grant Summary Report  
FY 2024 - 2025  
as of December 2024

Grant	Grant Awards	Remaining Balance as 9/30/24	FY25 Budget	FY25 Budget Adjustments	Expenses FY 24 - 25	Total Grant Expenses	Balance	Grant Expended	Months Remaining
2023 WIOA ADULT SERVICES	\$ 5,522,731.00	\$ 2,514.79	\$ -	\$ 2,514.79	\$ (84,055.19)	\$ 5,436,161.02	\$ 86,569.98	98.43%	6
2024 WIOA ADULT SERVICES	\$ 5,576,777.00	\$ 5,407,680.97	\$ 5,574,422.00	\$ (166,741.03)	\$ 920,788.10	\$ 1,089,884.13	\$ 4,486,892.87	19.54%	18
2023 WIOA DISLOCATED WORKER	\$ 4,774,833.00	\$ 866,476.89	\$ 747,100.50	\$ 119,376.39	\$ 249,660.43	\$ 4,158,016.54	\$ 616,816.46	87.08%	6
2024 WIOA DISLOCATED WORKER	\$ 4,670,305.00	\$ 4,670,305.00	\$ 4,468,382.00	\$ 201,923.00	\$ 764,611.97	\$ 764,611.97	\$ 3,905,693.03	16.37%	18
2023 WIOA YOUTH SERVICES	\$ 5,861,245.00	\$ 894,277.81	\$ 610,000.00	\$ 284,277.81	\$ 249,736.46	\$ 5,216,703.65	\$ 644,541.35	89.00%	6
2024 WIOA YOUTH SERVICES	\$ 5,910,587.00	\$ 5,676,876.83	\$ 5,907,469.00	\$ (230,592.17)	\$ 1,228,601.35	\$ 1,462,311.52	\$ 4,448,275.48	24.74%	18
2024 WIOA RAPID RESPONSE	\$ 58,320.00	\$ 32,403.59	\$ 58,295.00	\$ (25,891.41)	\$ 26,097.90	\$ 52,014.31	\$ 6,305.69	89.19%	6
2024 TEMPORARY ASST FOR NEEDY FAMILIES-TANF	\$ 6,851,831.00	\$ (219.41)	\$ -	\$ -	\$ -	\$ 6,852,050.41	\$ (219.41)	100.00%	
2025 TEMPORARY ASST FOR NEEDY FAMILIES-TANF	\$ 6,590,722.00	\$ -	\$ 6,775,722.00	\$ (185,000.00)	\$ 1,352,508.35	\$ 1,352,508.35	\$ 5,238,213.65	20.52%	10
2025 SUPPLEMENTAL NUTRITION ASST PRGRM - SNAP	\$ 945,544.00	\$ -	\$ 945,544.00	\$ -	\$ 350,695.52	\$ 350,695.52	\$ 594,848.48	37.09%	9
2025 SUPPLEMENTAL NUTRITION ASST PRGRM - SNAP	\$ 513,000.00	\$ -	\$ 357,747.00	\$ 155,253.00	\$ -	\$ -	\$ 513,000.00	0.00%	9
2025 NON CUSTODIAL PARENT	\$ 437,578.00	\$ 432,269.85	\$ 437,578.00	\$ -	\$ 73,918.00	\$ 79,226.15	\$ 358,351.85	18.11%	9
2024 CC SRVCS FORMULA ALLOCATION-CCF	\$ 103,860,758.00	\$ 1,179,793.43	\$ 3,585,310.00	\$ (2,405,516.57)	\$ 1,179,716.39	\$ 103,860,680.96	\$ 77.04	100.00%	
2025 CC SRVCS FORMULA ALLOCATION-CCF	\$ 115,725,923.00	\$ -	\$ 107,049,005.00	\$ 8,676,918.00	\$ 23,170,630.25	\$ 23,170,630.25	\$ 92,555,292.75	20.02%	12
2024 CC DVLPMNT FUND LOCAL MATCH - CCM	\$ 7,584,186.00	\$ 7,584,186.00	\$ 7,539,884.00	\$ 44,302.00	\$ 7,584,186.00	\$ 7,584,186.00	\$ -	100.00%	
2024 CC TEXAS DEPT FAMILY PROTECTIVE SRVCS-CCP	\$ 7,657,313.93	\$ 25,659.51	\$ -	\$ 25,659.51	\$ (166.29)	\$ 7,631,488.13	\$ 25,825.80	99.66%	
2025 CC TEXAS DEPT FAMILY PROTECTIVE SRVCS-CCP	\$ 5,301,259.00	\$ 4,703,341.12	\$ 4,898,465.00	\$ (195,123.88)	\$ 1,921,677.85	\$ 2,519,595.73	\$ 2,781,663.27	47.53%	12
2025 TRADE ACT SERVICES	\$ 5,000.00	\$ -	\$ 27,000.00	\$ (22,000.00)	\$ 2,767.76	\$ 2,767.76	\$ 2,232.24	55.36%	9
2024 WAGNER-PEYSER EMPLOYMENT SERVICES-WPA	\$ 1,006,695.00	\$ 264,281.21	\$ 1,019,324.65	\$ (755,043.44)	\$ 199,600.39	\$ 942,014.18	\$ 64,680.82	93.57%	2
2025 RESOURCE ADMIN GRANT	\$ 11,857.00	\$ -	\$ 11,857.00	\$ -	\$ 2,836.24	\$ 2,836.24	\$ 9,020.76	23.92%	9
2025 TEXAS VETERANS COMMISSION	\$ 255,178.00	\$ -	\$ 255,178.00	\$ -	\$ 47,384.27	\$ 47,384.27	\$ 207,793.73	18.57%	9
2024 CC QUALITY - CCQ	\$ 6,249,935.30	\$ 876,332.94	\$ 200,000.00	\$ 676,332.94	\$ 651,324.48	\$ 6,024,926.84	\$ 225,008.46	96.40%	
2025 CC QUALITY - CCQ	\$ 4,412,859.00	\$ -	\$ 7,031,976.84	\$ (2,619,117.84)	\$ 409,678.24	\$ 409,678.24	\$ 4,003,180.76	9.28%	10
2025 WORKFORCE COMMISSION INITIATIVES	\$ 100,250.00	\$ -	\$ 94,250.00	\$ 6,000.00	\$ 38,816.09	\$ 38,816.09	\$ 61,433.91	38.72%	9
2024 REEMPLOYMENT SERVICES - REA	\$ 1,057,573.00	\$ 212,963.05	\$ -	\$ 212,963.05	\$ 17,194.01	\$ 861,803.96	\$ 195,769.04	81.49%	2
2025 REEMPLOYMENT SERVICES - REA	\$ 918,281.00	\$ -	\$ 920,073.00	\$ (1,792.00)	\$ 149,575.61	\$ 149,575.61	\$ 768,705.39	16.29%	9
2024 PARTNERS FOR REENTRY OPPORTUNITIES IN WD (PROWD)	\$ 1,174,500.00	\$ 1,136,951.80	\$ 1,034,100.00	\$ 102,851.80	\$ 26,536.06	\$ 64,084.26	\$ 1,110,415.74	5.46%	33
2024 MILITARY FAMILY SUPPORT PROGRAM	\$ 221,896.00	\$ 40,522.48	\$ 266,471.00	\$ (225,948.52)	\$ 36,153.43	\$ 217,526.95	\$ 4,369.05	98.03%	
STUDENT HIREABILITY NAVIGATOR	\$ 210,000.00	\$ 193,920.80	\$ 210,000.00	\$ (16,079.20)	\$ 44,421.10	\$ 60,500.30	\$ 149,499.70	28.81%	8
2025 VOCATIONAL REHABILITATION-VR INFRA SPRT	\$ 819,950.08	\$ 777,036.00	\$ 562,676.00	\$ 214,360.00	\$ 131,361.07	\$ 174,275.15	\$ 645,674.93	21.25%	8
2025 PAID WORK EXPERIENCE (PWE)	\$ 187,500.00	\$ -	\$ 187,500.00	\$ -	\$ 0	\$ -	\$ 187,500.00	0.00%	9
2024 TRAINING & EMPLOYMENT NAVIGATOR PILOT	\$ 195,856.00	\$ 146,055.46	\$ 128,057.03	\$ 17,998.43	\$ 25,547.28	\$ 75,347.82	\$ 120,508.18	38.47%	10
2025 SUMMER EARN & LEARN (SEAL)	\$ 900,000.00	\$ -	\$ 900,000.00	\$ -	\$ 8,779.80	\$ 8,779.80	\$ 891,220.20	0.98%	9
SAN ANTONIO AREA FOUNDATION-WORKFORCE ACADEMY	\$ 100,000.00	\$ 21,298.59	\$ 14,582.00	\$ 6,716.59	\$ 8,303.86	\$ 87,005.27	\$ 12,994.73	87.01%	
SAN ANTONIO AREA FOUNDATION-CAPACITY BUILDING	\$ 37,500.00	\$ 15,710.45	\$ -	\$ 15,710.45	\$ -	\$ 21,789.55	\$ 15,710.45	58.11%	
ADAM SCRIPPS FOUNDATION FUND	\$ 187,500.00	\$ 175,633.00	\$ -	\$ 175,633.00	\$ 4,492.46	\$ 16,359.46	\$ 171,140.54	8.73%	10
KRONKOWSKY FOUNDATION FUND	\$ 21,000.00	\$ 14,630.59	\$ -	\$ 14,630.59	\$ 2,510.04	\$ 8,879.45	\$ 12,120.55	42.28%	5
TOYOTETSU PILOT PROGRAM (RTW)	\$ 16,100.00	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -	\$ 1,100.00	\$ 15,000.00	6.83%	2
READY TO WORK-COSA	\$ 65,554,565.00	\$ 40,599,402.99	\$ 20,069,891.00	\$ 4,885,271.01	\$ 3,853,833.50	\$ 28,808,995.51	\$ 36,745,569.49	43.95%	5
GRAND TOTAL	\$ 371,486,908.31	\$ 75,965,305.74	\$ 181,887,860.02	\$ 8,975,215.71	\$ 44,649,722.78	\$ 209,605,211.35	\$ 161,881,696.96		



## MEMORANDUM

To: Executive Committee  
From: Adrian Lopez, CEO  
Presented by: Brandee Perez, CFO  
Date: March 7, 2025  
Regarding: Financial Monitoring & Fiscal Integrity Reviews for Sub-recipients

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**SUMMARY:** *Update and Possible Discussion on Financial Monitoring and Fiscal Integrity Reviews for Subrecipients.* Federal and State legislation and policies require recipients of federal funds to conduct a financial evaluation of the application of these funds on at least an annual basis. Properly conducted financial evaluations measure:

- The degree of compliance with applicable laws, regulations, policies, and procedures.
- Adequacy of management controls.
- Reliable information is captured, reported, and used to improve decision-making.
- Resources are efficiently, effectively used, and protected from waste, fraud, and abuse.
- Past, current, and projected effectiveness and efficiency of program administration.

Additionally, the Texas Workforce Commission's Financial Manual for Grants and Contracts (FMGC) requires boards to complete an annual fiscal integrity review before executing a contract renewal. The reviews are conducted by Christine Nguyen, CPA.

**ANALYSIS:** The Financial Monitoring reports for COSA and SERCO have been completed and closed for FY 23-24. Currently, staff is reviewing responses from C2GPS before the final closeout is completed. The reports outlined any concerns Ms. Nguyen discovered during the review. The subrecipients had the opportunity to provide supporting documentation and/or respond to the observations and findings. The following items for each subrecipient were notated in the review.

### **City of San Antonio – Child Care Services**

- I. Audit
  - a. The Singel Audit for the period ending September 30, 2023, was reviewed. COSA has received an unmodified opinion for the audited period and is considered a low-risk auditee. There were no questioned costs that pertained to WSA programs.
- II. Cash Management
  - a. No exceptions were found.
- III. Expenditures Disbursements – Personnel Costs

- a. Twelve (12) reports did not have evidence of employee signatures on Employee Acknowledgement on Time & Effort reports.
  - b. One employee did not sign Form I-9 on or before the date of hire.
- IV. Expenditure Disbursement – Non-Personnel Costs
  - a. Cost reasonableness documentation was not maintained for a car rental and airfare.
- V. Financial & Other Reporting
  - a. Concerns were resolved.
- VI. Insurance
  - a. No issues identified.

### **SERCO – Youth Services**

- I. Audit
  - a. The Single Audit for the period ending June 30, 2023, was reviewed. The auditors have issued an unqualified opinion. The auditors have identified a material weakness in internal control over financial reporting a material adjustment to adjust the Organization’s advances, contributions, and net assets with and without donor restrictions to the appropriate balances. In addition, a material adjustment related to improperly reporting accrued vacation expenses. SERCO informed Ms. Nguyen that these issues did not affect the WSA contracts.
- II. Cash Management
  - a. No issues were identified.
- III. Cost Allocation
  - a. No exceptions were identified.
- IV. Expenditure Disbursement – Personnel Costs
  - a. No exceptions were found.
- V. Expenditure Disbursement – Staff Incentives
  - a. One overpayment of \$30 plus fringe benefits was found for a disbursement on 9/28/23.
- VI. Expenditure Disbursement – Maximum Salary Limitations
  - a. No exceptions were found.
- VII. Expenditure Disbursement – Non-Personnel Costs
  - a. For legal services, there was no evidence of completed procurement documentation.
  - b. One transaction was charged to WSA in error. The correction to reclass the charges to non-federal funds were only for a partial amount. The remaining amount was not reduced from WSA’s expenses.
- VIII. Education and Training

- a. One payment was not made within 30 days.
- IX. Work Experience
  - a. One transaction did not have an Open Service in TWIST.
- X. Support Services – Transportation
  - a. No exceptions were found.
- XI. Support Services
  - a. The following data integrity issues were found in TWIST:
    - i. No evidence of rent payment in TWIST Support Service tab for one transaction.
    - ii. No evidence of Open TWIST Service for one transaction.
- XII. Customer Incentives
  - a. No evidence of payment in TWIST Support Service tab for one transaction.
- XIII. Financial and Other Reporting
  - a. No exceptions were found.
- XIV. Insurance
  - a. No exceptions were found.

#### **C2GPS – Adult Services**

- I. Audit
  - a. The Annual Financial and Compliance Report in Accordance with the CFR Part 200 Uniform administrative requirements audit report for the period ending September 30, 2022 was reviewed. No issues were identified.
- II. Cash Management
  - a. No evidence when reconciliations were signed and approved for September and October 2023.
- III. Cost Allocation
  - a. No exceptions were found.
- IV. Expenditure Disbursements – Personnel Costs
  - a. Pending information from C2GPS.
- V. Expenditure Disbursements – Non-Personnel Costs
  - a. The pre-paid transportation contract for customers is not renewed annually.
  - b. There are insufficient number of bids/quotes for one transaction.
- VI. Expenditure Disbursements – Education and Training Payments
  - a. TWIST Open Selected Services were not completed for one transaction.
  - b. There was no evidence of an Individual Employment Plan completed in TWIST.
  - c. TWIST Open Selected Service funding source was not consistent for one transaction.
- VII. Expenditure Disbursements – Support Services Transportation

- a. No exceptions were identified.
- VIII. Expenditure Disbursements - Support Services Other
  - a. TWIST Open Selected Services were not completed for one transaction for the applicable period.
  - b. The receipt date was not on the receipt, and there was a gap in when services were provided.
  - c. Food was purchased by the customer.
  - d. A duplicate reimbursement for a utility bill was found as part of the total support services.
  - e. One support service has a missing receipt.
- IX. Expenditure Disbursements – Customer’s Incentive Other
  - a. Three cases notes were not entered timely in Work In Texas.
- X. Expenditure Disbursements – Work Experience
  - a. No exceptions were found.
- XI. OJT
  - a. Based on reimbursed records, the OJT customer was reimbursed for \$8,333.34. With a 75% reimbursement, this amount should be \$6,250.64 and not \$6,635.04. This would be an overpayment.
- XII. Financial and Other Reporting
  - a. No exceptions were found.
- XIII. Insurance
  - a. No exceptions were found.

**FISCAL IMPACT:** The board has received payments for disallowed costs that were identified in the review.

**ATTACHMENTS:**

Financial Monitoring Report for C2GPS  
Financial Monitoring Report for SERCO  
Financial Monitoring Report for COSA



January 23, 2025

Mr. Chakib Chehadi, CEO  
C2 Global Professional Services, LLC  
P.O Box 92377  
Austin, TX 78709

Dear Mr. Chedhadi,

Federal and State legislation and policies require recipients of federal and state funds to conduct a financial evaluation of the application of such funds on at least an annual basis. To that purpose, Workforce Solutions Alamo (WSA), with the assistance of Ms. Christine Nguyen, CPA, has completed a *Financial Compliance Monitoring Report*, dated January 13, 2025, of C2 Global Professional Services, LLC (C2 GPS) in its capacity to deliver Adult Workforce Services for Workforce Solutions Alamo (WSA) from March 1 2023, through April 30, 2024.

The report and related attachments provide the results of the financial evaluation and identify the following areas that require resolution:

**1. Expenditure Disbursements**

**A. NON-PERSONNEL COSTS**

Findings:

1. The pre-paid transportation contract for customers is not renewed annually.

**Recommendation:** Ensure that existing contracts are annually renewed based on procurement solicitation terms. *Attachment 1.*

2. There are insufficient number of bids/quotes for one transaction. *Attachment 1.*

**Recommendation:** Provide quotes complying with the TWC FMGC, Chapter 13, Procurement, for small purchases.

**B. EDUCATION AND TRAINING PAYMENTS**

Findings:

1. TWIST Open Selected Services were not completed for one transaction. *Attachment 2.*
2. There was no evidence of an Individual Employment Plan completed in TWIST. *Attachment 2.*
3. TWIST Open Selected Service funding source was not consistent for one transaction. *Attachment 2.*

**Recommendation:** Place controls to ensure data integrity with data management system.

**C. SUPPORT SERVICES-OTHER**

**Findings:**

1. TWIST Open Selected Services were not completed for one transaction for the applicable period.
2. The receipt date was not on the receipt, and there was a gap in when services were provided-Questioned costs-\$450.
3. Food was purchased by the customer-Questioned costs-\$23.57.
4. A duplicate reimbursement for a utility bill was found as part of the total support services-Questioned costs-\$139.49.
5. One support service has a missing receipt-Questioned costs-\$129.85.

**Recommendation:** Resolve the issues in *Attachment 3* or **refund \$724.91 to WSA.**

**D. OJT**

**Findings:**

1. Based on the reimbursed records, the OJT customer was reimbursed for \$8,333.34. With a 75% reimbursement, this amount should be \$6,250.64 and not \$6,635.04. The overpayment amounted to \$385.04-Questioned costs. *Attachment 4.*

**Recommendation:** In accordance with Section 3: General Terms and Conditions of the OJT Employer contract, the employer must maintain adequate time and attendance, payroll, and other records to support amounts reimbursed under the OJT contract. Ensure that payments are made in a timely manner and remaining balances are liquidated in a timely manner.

**Refund \$385.04 to WSA.**

**2. Total Disallowed Costs**

The Disallowed Costs are calculated as follows:


Report Section	Attachment #	Questioned Costs Amount	Indirect Costs - 10%	Total Questioned Costs
III. Expenditure Disbursements, E. Support Services-Other	3	\$ 724.91	\$ -	\$ 724.91
III. Expenditure Disbursements, H. OJT	4	\$ 385.04	\$ -	\$ 385.04
<b>Total</b>		<b>\$ 1,109.95</b>	<b>\$0</b>	<b>\$ 1,109.95</b>

Please coordinate a refund on total amount of **\$1,109.95** to WSA. Your assistance resolving all items by February 7, 2025 is appreciated.

We appreciate the cooperation and assistance your staff provided throughout the review and their outstanding efforts in successfully offering services to the urban and rural communities.

Please contact Gabriela Navarro Garcia, Controller, if you have questions or need further assistance.

Sincerely,

DocuSigned by:  
  
A8680FAA8A94453

Adrian Lopez  
Chief Executive Officer

cc: Brandee Perez, WSA Chief Financial Officer;  
Esmeralda Apolinar Ramirez, WSA Sr. Accounting Manager;  
Gabriela Navarro Garcia, WSA Controller;  
Belinda Gomez, C2 GPS Deputy Director of Fiscal Operations;  
Brenda C. Garcia, C2 GPS Managing Director,  
Angelina Garcia, C2 GPS Controller;  
Amouye Kassi, C2 GPS CFO;  
Aaron Smith, C2 GPS COO

**Attachments:**

Financial Compliance Monitoring Report- WSA-C2GPS-FY24-08

**WORKFORCE SOLUTIONS ALAMO  
C2 GLOBAL PROFESSIONAL SERVICES, LLC  
FINANCIAL COMPLIANCE MONITORING REPORT  
March 1, 2023 through April 30, 2024  
REPORT #: WSA-C2GPS-FY24-08  
REPORT DATE: JANUARY 13, 2025**

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**CHRISTINE H. NGUYEN**  
CERTIFIED PUBLIC ACCOUNTANT  
4771 Sweetwater Blvd., #195  
Sugar Land, TX 77479  
(832) 215-9696

## INTRODUCTION

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Federal and State legislation and policies require recipients of federal funds to conduct a financial evaluation of the application of these funds on at least an annual basis.

Properly conducted financial evaluations measure:

- The degree of compliance with applicable laws, regulations, policies, and procedures.
- Adequacy of management controls.
- Reliable information is captured, reported, and used to improve decision-making.
- Resources are efficiently and effectively used and protected from waste, fraud, and abuse.
- Past, current, and projected effectiveness and efficiency of program administration.
- Financial and program performance relevant to organizational goals.

This report provides the results of the financial evaluation of:

1. C2 Global Professional Services, LLC (C2GPS) in its capacity to deliver workforce services for Workforce Solutions Alamo (WSA) in the Urban areas for the period from March 1, 2023 through April 30, 2024.

The applicable sections of the current Texas Workforce Commission's Financial Monitoring Guide, applicable provisions from the OMB Circular, federal and State regulations in concert with proprietary instruments and guides developed by **Christine H. Nguyen, CPA** were used in performing this financial evaluation.

The desk review was conducted by Christine Nguyen, CPA, Michael Nguyen, CPA, Donna Garrett, Mary Yee, Mai Horio, and Brittney Nguyen (the firm) beginning May 10, 2024. The exit conference was conducted on September 3, 2024. Additional documents were provided through January 9, 2025.

## OVERVIEW

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The financial review was conducted for the period of March 1, 2023 through April 30, 2024 on all workforce contracts.

The scope of this financial evaluation included a review of the following:

- Audit
- Cash Management
- Cost Allocation
- Disbursements
- Financial Reporting
- Insurance

The following areas were reviewed with instances of non-compliance or otherwise reportable conditions:

- Disbursement

The issues as identified in the Schedule of Financial Findings and Recommendations will be classified as either an observation or a finding.

- **Observation:** The financial areas as identified are not considered as non-compliance issues with federal and State rules and regulations or contract requirements. The intent for the recommendations of these observations is to strengthen the subcontractor's current accounting systems.
- **Finding:** The financial areas as identified are considered as non-compliance issues with federal and State rules and regulations or contract requirements. The subcontractor must implement a corrective action plan immediately to address these findings.

## **SCHEDULE OF FINANCIAL FINDINGS AND RECOMMENDATIONS**

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### **I. AUDIT**

The Annual Financial and Compliance Report in Accordance with the CFR Part 200 Uniform administrative Requirements audit report for the period ended September 30, 2022 was reviewed. *No issues were identified.*

### **II. CASH MANAGEMENT**

C2GPS's cash management system was evaluated to ensure that the following processes have been implemented:

- To reconcile bank reconciliations timely.
- To ensure that the fidelity bond coverage is sufficient to protect C2GPS from loss.
- To ensure that funds in excess of FDIC coverage are collateralized.
- To have written policies and procedures to document cash management processes.

We have selected September 2023, October 2023, and April 2024 bank reconciliations.

#### **Observation**

1. No evidence when reconciliations were signed and approved for September and October 2023. *C2 has concurred with observation. Further response is not required.*

### **III. COST ALLOCATION**

We selected the following cost allocation workpapers for testing: September 2023; April 2024. In addition, C2 utilized a 10% De Minimis Rate for the contract. *No exceptions were found.*

### **IV. EXPENDITURE DISBURSEMENTS**

The disbursement test was conducted to determine if personnel and non-personnel costs were expended in compliance with federal and State regulations and that expenditures were supported with sufficient documentation.

#### **A. Personnel Costs**

1. Timesheets – thirty-seven (37) employees' timesheets were sampled. *No exceptions were found.*
2. Staff Incentives – ten (10) payments were selected for review.

#### **Finding**

1. Evidence that C2GPS contract was not under any form of official corrective action by the local Board and/or TWC/DEO/DOL at the close of the semi-annual period 9/30/2023 has not been provided for review.

#### **Recommendation**

1. Provide the above information or refund WSA the total amount of staff incentives to include fringe benefits.

## **B. Non-Personnel Costs**

Twenty-five (25) transactions were sampled.

### **Findings**

1. The pre-paid transportation contract for customers is not renewed annually.
2. There are insufficient number of bids/quotes for one transaction.

### **Recommendations**

1. Ensure that existing contracts are annually renewed based on procurement solicitation terms.
2. Comply with the TWC FMGC, Chapter 13, Procurement, for small purchases.

Details are listed on **Attachment 1**.

## **C. Education and Training Payments**

Fifteen (15) ITAs were reviewed.

### **Observations**

1. The TWIST service start date was not consistent with the ITA voucher start date.
2. One ITA voucher did not have the Managing Director or Deputy Director Ops approval.

### **Findings**

1. TWIST Open Selected Services were not completed for one transaction.
2. There was no evidence of an Individual Employment Plan completed in TWIST.
3. TWIST Open Selected Service funding source was not consistent for one transaction.

Details are listed on **Attachment 2**.

### **Recommendation**

1. Place controls to ensure data integrity with data management system.

## **D. SUPPORT SERVICES-TRANSPORTATION**

Twenty-two (22) support services were selected. *No exceptions were identified.*

## **E. SUPPORT SERVICES-OTHER**

Sixteen (16) support services were selected.

### **Observations**

1. TWIST Counselor Notes were not consistent with the IEP.
2. TWIST Service Plan did not state support services were provided for the applicable period.

### **Findings**

1. TWIST Open Selected Services were not completed for one transaction for the applicable period.
2. The receipt date was not on the receipt, and there was a gap in when services were provided-Questioned costs-\$450.
3. Food was purchased by the customer-Questioned costs-\$23.57.
4. A duplicate reimbursement for a utility bill was found as part of the total support services-Questioned costs-\$139.49.
5. One support service has a missing receipt-Questioned costs-\$129.85.

### **Recommendation**

1. Resolve the issues in **Attachment 3** or refund \$724.91 to WSA.

### **F. CUSTOMER'S INCENTIVES-OTHER**

Eleven (11) customer incentives were selected.

### **Observation**

1. The fund source identified in the sample document was not consistent with the Incentive Form.

### **Finding**

1. Three case notes were not entered timely in WorkInTexas,

### **Recommendation**

1. Place controls to ensure that case notes are entered in a timely manner.

### **G. WORK EXPERIENCE**

Twenty (20) timesheets were selected. *No exceptions were found.*

### **H. OJT**

One (1) OJT was selected.

### **Observations**

1. Payment was not made within 30 days of invoicing. *C2 concurs.*
2. The OJT ended in July 2023; however, the remaining balance of \$2,884.80 was not liquidated timely.

### **Finding**

1. In accordance with Section 3: General Terms and Conditions of the OJT Employer contract, the employer must maintain adequate time and attendance, payroll, and other records to support amounts reimbursed under the OJT contract. Based on the reimbursed records, the OJT customer was reimbursed for \$8,333.34. With a 75% reimbursement, this amount should be \$6,250.64 and not \$6,635.04. The overpayment amounted to \$385.04-**Questioned costs. (Attachment 4)**

### **Recommendations**

1. Reimburse \$385.04 to WSA.
2. Ensure that payments are made in a timely manner and remaining balances are liquidated in a timely manner.

### **V. FINANCIAL & OTHER REPORTING REQUIREMENTS.**

The following billing reports were reviewed-no exceptions were found:

- ✓ April 2024 Project-to-Date
- ✓ FY23 Closeout Reports
- ✓ Employment Tax Reports
- ✓ Corporate Tax Reporting

### **VI. INSURANCE**

C2GPS is required to obtain and maintain throughout the term of the contract fidelity bonding, general liability insurance, automobile, errors and omissions insurance, and worker compensation coverage. *C2GPS is in compliance with the requirements.*

### **VII. TOTAL DISALLOWED COSTS**

The Disallowed Costs are calculated as follows:

<b>Report Section</b>	<b>Attachment #</b>	<b>Questioned Costs Amount</b>	<b>Indirect Costs - 10%</b>	<b>Total Questioned Costs</b>
III. Expenditure Disbursements, E. Support Services-Other	3	\$ 724.91	\$ -	\$ 724.91
III. Expenditure Disbursements, H. OJT	4	\$ 385.04	\$ -	\$ 385.04
<b>Total</b>		<b>\$ 1,109.95</b>	<b>\$0</b>	<b>\$ 1,109.95</b>



January 23, 2025

Ms. Eva G. Dewaelsche  
President & CEO  
SERCO of Texas, Inc.  
9301 Michigan Ave.  
Detroit, MI 48210

Dear Ms. Garza Dewaelsche,

Federal and State legislation and policies require recipients of federal and state funds to conduct a financial evaluation of the application of such funds on at least an annual basis. To that purpose, Workforce Solutions Alamo (WSA), with the assistance of Ms. Christine Nguyen, CPA, has completed a *Financial Compliance Monitoring Report*, dated December 23, 2024, of SERCO for Texas, Inc. (SERCO) its capacity to deliver WIOA Youth workforce services for Workforce Solutions Alamo (WSA) from March 1, 2023, through May 31, 2024.

The report and related attachments provide the results of the financial evaluation and identify the following areas that require resolution:

**1. Expenditure Disbursements**

**A. STAFF INCENTIVES FINDINGS:**

1. One overpayment of \$30 plus fringe benefits was found for a disbursement on 9/28/23. Disallowed costs=\$32.39. SERCO respectfully concurs with the finding regarding the overpayment of Staff Incentives.

**Resolution:** WSA was refunded \$32.39 on October 4, 2024

**B. NON-PERSONNEL COSTS FINDINGS:**

1. For legal services, there was no evidence of completed procurement documentation.
2. One transaction was charged to WSA in error. The correction to reclass the charges to non-federal funds were only for a partial amount. The remaining amount of \$1,208.44 was not reduced from WSA's expenses-Questioned Costs.

**Resolution:** Serco submitted documentation of journal entries to correct allocations and has refunded the total of \$15.94 on January 17, 2025 of final questioned cost. No further action needed.

This letter confirms Financial Compliance Monitoring Report of SERCO for Texas, Inc. the period from March 1, 2023, through May 31, 2024, as closed.

Again, we appreciate your staff's cooperation and assistance throughout the review and their outstanding efforts in successfully offering services to Youth in our communities.

Please contact Gabriela Navarro Garcia, Controller, if you have questions or need further assistance.

Sincerely,

DocuSigned by:  
  
A8660FAA8A94453

Adrian Lopez  
Chief Executive Officer

cc: Brandee Perez, WSA Chief Financial Officer;  
Esmeralda Apolinar Ramirez, WSA Sr. Accounting Manager;  
Gabriela Navarro Garcia, WSA Controller;  
Manuel Urges, SERCO Regional Director  
Gabriela Horbach, SERCO Project Director  
Roberto Corral, SERCO Operations Manager  
Eva G. Dewaelsche, SERCO President & CEO

**WORKFORCE SOLUTIONS ALAMO  
SERCO OF TEXAS, LLC  
FINANCIAL COMPLIANCE MONITORING REPORT  
MARCH 1, 2023 THROUGH MAY 31, 2024  
REPORT #: WSA-SERCO-FINANCIAL-FY24-06  
REPORT DATE: DECEMBER 23, 2024**

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**CHRISTINE H. NGUYEN**  
CERTIFIED PUBLIC ACCOUNTANT  
4771 Sweetwater Blvd., #195  
Sugar Land, TX 77479  
(832) 215-9696

## INTRODUCTION

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Federal and State legislation and policies require recipients of federal funds to conduct a financial evaluation of the application of these funds on at least an annual basis.

Properly conducted financial evaluations measure:

- The degree of compliance with applicable laws, regulations, policies, and procedures.
- Adequacy of management controls.
- Reliable information is captured, reported, and used to improve decision-making.
- Resources are efficiently and effectively used and protected from waste, fraud, and abuse.
- Past, current, and projected effectiveness and efficiency of program administration.
- Financial and program performance relevant to organizational goals.

This report provides the results of the financial evaluation of:

1. SERCO for Texas, LLC (SERCO) in its capacity to deliver Youth workforce services for Workforce Solutions Alamo (WSA) for the period from March 1, 2023 through May 31, 2024.

The applicable sections of the current Texas Workforce Commission's Financial Monitoring Guide, applicable provisions from the OMB Circular, federal and State regulations in concert with proprietary instruments and guides developed by **Christine H. Nguyen, CPA** were used in performing this financial evaluation.

The desk review was conducted by Christine Nguyen, CPA, Michael Nguyen, CPA, Mary Yee, Brittney Nguyen, and Mai Horio (the firm). Exit conference was conducted on September 18, 2024.

## OVERVIEW

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The financial review was conducted for the period of March 1, 2023 through May 31, 2024 on the WIOA Youth Contract.

The scope of this financial evaluation included a review of the following:

- Audit
- Cash Management
- Cost Allocation
- Disbursements
- Financial and Other Reporting
- Insurance

The following areas were reviewed with instances of non-compliance or otherwise reportable conditions:

- Expenditure Disbursements

The issues as identified in the Schedule of Financial Findings and Recommendations will be classified as either an observation or a finding.

- **Observation:** The financial areas as identified are not considered as non-compliance issues with federal and State rules and regulations or contract requirements. The intent for the recommendations of these observations is to strengthen the subcontractor's current accounting systems.
- **Finding:** The financial areas as identified are considered as non-compliance issues with federal and State rules and regulations or contract requirements. The subcontractor must implement a corrective action plan immediately to address these findings.

## **SCHEDULE OF FINANCIAL FINDINGS AND RECOMMENDATIONS**

---

### **I. AUDIT**

We have reviewed the SER Metro Detroit, Jobs for Progress, Inc Single Audit June 30, 2023. The auditors have issued an unqualified opinion. The auditors have identified a material weakness in internal control over financial reporting-a material adjustment to adjust the Organization's advances, contributions, and net assets with and without donor restrictions to the appropriate balances. In addition, a material adjustment related to improperly reporting accrued vacation expenses. SERCO has informed us that these issues did not affect the WSA contracts.

### **II. CASH MANAGEMENT**

The cash management system was evaluated to ensure that the following processes have been implemented:

1. To minimize the time lapse between the receipt of funds from WSA and disbursement of those funds.
2. To reconcile bank reconciliations timely.
3. To ensure that the fidelity bond coverage is sufficient to protect WSA from loss. To have written policies and procedures to document cash management processes.

The November 2023, March 2024 and May 2024 bank reconciliations were reviewed. *No issues were identified.*

### **III. COST ALLOCATION**

SERCO has developed a cost allocation plan (CAP) that addresses the requirements of the TWC FMGC, Chapter 11. The April 2023 and May 2024 cost allocation workpapers were reviewed. *No exceptions were identified.*

### **IV. EXPENDITURE DISBURSEMENTS**

The disbursement test was conducted to determine if personnel and non-personnel costs were expended in compliance with federal and State regulations and that expenditures were supported with sufficient documentation.

#### **A. PERSONNEL COSTS**

##### **1. Timesheets**

We have tested 11 employees' timesheets. *No exceptions were found.*

#### **B. STAFF INCENTIVES**

Five payments were reviewed.

#### **Finding**

1. One overpayment of \$30 plus fringe benefits was found for a disbursement on 9/28/23. Disallowed costs=\$32.39. *SERCO respectfully concurs with the finding regarding the overpayment of Staff Incentives. We have removed the amount from our billing and are in the process of reimbursing Workforce Solutions Alamo for*

*the full amount of the overpayment plus fringe. A copy of the Journal Entry and the check request are provided in the support documents.*

#### **Recommendation**

1. Refund WSA \$32.39.

#### **C. Maximum Salary Limitations:**

Section 7013 of Public Law 109-234 limits salary and bonus compensation for individuals who are paid by grant funds appropriated to the Employment and Training Administration. The compensation limit was \$212,100 for 2023 annually. *No exceptions were found.*

#### **D. NON-PERSONNEL COSTS**

We selected 21 transactions.

#### **OBSERVATIONS**

1. The allocation of cost did not appear to be based on benefits received. SERCO will review the allocation process for the Franchise Tax for the next year. This issue will be followed up in a subsequent review. A response is not required.
2. Quotes were not dated; therefore, we were unable to determine if the quotes were timely documented.
3. The purchase order amount did not match the actual invoice amount.

#### **FINDINGS**

1. There was missing cost reasonable documentation for three purchases. SERCO will work with the SER Metro Detroit Administrative Team to make them aware of the TWC requirements for any purchase that gets allocated to Texas contracts. This issue will be followed up in a subsequent review. A response is not required.
2. For legal services, there was no evidence of completed procurement documentation-**Questioned Costs-total allocated amount charged to WSA.**
3. One transaction was charged to WSA in error. The correction to reclass the charges to non-federal funds were only for a partial amount. The remaining amount of \$1,208.44 was not reduced from WSA's expenses-**Questioned Costs.**

Details are listed on **Attachment 1-Questioned Costs-\$1,208.44 plus allocable share of legal expenses.**

#### **RECOMMENDATIONS**

1. Comply with procurement requirements by ensuring that documentation is in compliance with TWC FMGC, Chapter 14.
2. Calculate the allocable share of legal expenses that were charged to WSA and refund the amount to WSA,
3. Provide evidence that Finding #3 was corrected or refund \$1,208.44 to WSA.

#### **E. Education and Training**

We tested five (5) payments.

### **OBSERVATIONS**

1. Four transactions did not have deposits/withdrawals in TWIST ITA tabs.
2. One ITA total costs exceeded the ETPS for tuition and books.

### **FINDING**

1. One payment was not made within 30 days.

### **RECOMMENDATION**

1. Ensure that payments are made within 30 days.

## **F. WORK EXPERIENCE**

We tested 20 payments.

### **OBSERVATIONS**

1. Job descriptions were not consistent between the PAN and the job descriptions in four transactions.
2. The worksite name is not consistent in TWIST in one transaction.

### **FINDINGS**

1. One transaction reflected payment of overtime-\$87.21. SERCO has reclassified the expense to non-chargeable. *The issue is resolved.*
2. One transaction did not have an Open Service in TWIST. SERCO is unable to request a DINT to make the correction.

### **RECOMMENDATIONS**

1. Place controls to ensure that overtime payments are not charged to WSA.
2. Place controls to ensure data entries in TWIST for job descriptions, worksites, and services are accurate.

## **G. SUPPORT SERVICES – TRANSPORTATION**

We tested 20 payments. *No exceptions were found.*

## **H. SUPPORT SERVICES**

We tested 10 payments.

### **FINDINGS**

1. The following data integrity issues were found in TWIST:
  - ✓ No evidence of rent payment in TWIST Support Service tab for one transaction.
  - ✓ No evidence of an Open TWIST Service for one transaction.

### **RECOMMENDATION**

1. Place controls to ensure data integrity in the customer's data management system.

## I. CUSTOMER INCENTIVES

We tested 25 payments.

### FINDINGS

1. No evidence of payment in TWIST Support Service tab for one transaction.
2. There was one duplicate payment of \$300. *SERCO has reclassified the expense to unallowable expense. Issue is resolved.*

### RECOMMENDATION

1. Place controls to ensure data integrity in the data management system.

## V. FINANCIAL AND OTHER REPORTING

The following reports were reviewed with no exceptions:

1. Youth Contract FY23 Closeout.
2. SEAL FY23 Closeout.
3. Youth Contract - Project-to-Date from October 1, 2023 through May 31, 2024.
4. Employment Tax Reporting.
5. Income Tax Report

## VI. INSURANCE

SERCO is required to obtain and maintain throughout the term of the contract fidelity bonding, general liability insurance, automobile, errors and omissions insurance, and worker compensation coverage. *No exceptions were found.*

## VII. SUMMARY OF QUESTIONED COSTS

Report Section	Attachment	Questioned Costs	Comments
III. Expenditure Disbursements-Personnel-Staff Incentives		\$ 32.39	
III. Expenditure Disbursements-Non-personnel	1	\$ 1,208.44	Additional questioned costs may be added for legal expense allocations.
<b>Total</b>		<b>\$ 1,240.83</b>	



February 6, 2025

Ms. Melody Woosley  
 Director  
 Department of Human Services  
 City of San Antonio  
 P.O. Box 839966  
 San Antonio, TX 78283

Dear Ms. Woosley,

Federal and State legislation and policies require recipients of federal and state funds to conduct a financial evaluation of the application of such funds on at least an annual basis. To that purpose, Workforce Solutions Alamo (WSA), with the assistance of Ms. Christine Nguyen, CPA, has completed a *Financial Compliance Monitoring Report*, dated December 27, 2024 of City of San Antonio (COSA) in its capacity to deliver Child Care Services for Workforce Solutions Alamo (WSA) from June 1, 2023, through May 31, 2024.

The report provides the results of the financial evaluation:

#### 1. **Expenditure Disbursements**

##### **Personnel Costs Findings:**

1. Twelve reports did not have evidence of employee signatures on Employee Acknowledgment on Time & Effort reports.  
**Resolution:** DHS Fiscal and Childcare staff will implement controls and process improvements to address the departure of Childcare Services employees before the end of a biannual time certification period.
2. One employee did not sign Form I-9 on or before the date of hire.  
**Resolution:** Employee I-9s are processed and maintained by COSA's Human Resources (HR) department which utilizes an electronic system to file I-9's.

##### **Non-Personnel Costs Findings:**

1. Cost reasonableness documentation was not maintained for car rental and airfare. The lodging rate exceeded GSA rate-questioned costs \$474.24.
2.  
**Resolution:** COSA maintains cost reasonableness documentation to comply with the TWC FMGC, Chapter 14, Procurement. No further action.

##### **Provider Payments Findings:**

1. Have not obtained information on the ages of the children to validate the rates paid to the providers for all selected sample items.

**Resolution:** COSA provided documentation on the ages of children. No further action.

2. Need evidence of recoupment/collection for one overpayment.

**Resolution:** Item resolved, no further action.

3. Four transactions of PSOC amounts on Forms 2450 were not consistent with amounts deducted in TWIST.

**Resolution:** Item resolved, no further action.

**2. Financial & Other Reporting Requirements Findings:**

1. SIR Closeout Report through 3/31/23: The reported expenditure amounts exceeded the general ledger by \$278,860. Questioned Costs.

**Resolution:** COSA provided General Ledger report aligning with SIR Closeout Report. No further action.

This letter confirms Financial Compliance Monitoring Report of City of San Antonio (COSA) for the period Jun 1, 2023, through May 31, 2024, as closed.

We appreciate the cooperation and assistance your staff provided throughout the review and their outstanding efforts in successfully offering services to the urban and rural communities.

Please contact Gabriela Navarro Garcia, Controller, if you have questions or need further assistance.

Sincerely,

DocuSigned by:  
  
A8680FAABAB4453...

Adrian Lopez  
Chief Executive Officer

cc: Brandee Perez, WSA Chief Financial Officer.  
Esmeralda Apolinar Ramirez, WSA Sr. Accounting Manager.  
Gabriela Navarro Garcia, WSA Controller.  
Jessica Dovalina, COSA Assistant Director  
Ana Cantu, COSA Fiscal Administrator  
Lisa Elizondo, Social Service Manager.

**WORKFORCE SOLUTIONS - ALAMO**  
**CITY OF SAN ANTONIO**  
**Financial Compliance Monitoring Report**  
**June 1, 2023-May 31, 2024**  
**Report #: WSA-COSA-FY24-07**  
**Report Date: December 27, 2024**

---

**CHRISTINE H. NGUYEN**  
**CERTIFIED PUBLIC ACCOUNTANT**  
4771 Sweetwater Blvd., #195  
Sugar Land, TX 77479  
(832) 215-9696

## INTRODUCTION

---

Federal and State legislation and policies require recipients of federal funds to conduct a financial evaluation of the application of these funds on at least an annual basis.

Properly conducted financial evaluations measure:

- The degree of compliance with applicable laws, regulations, policies, and procedures.
- Adequacy of management controls.
- Reliable information is captured, reported, and used to improve decision-making.
- Resources are efficiently and effectively used and protected from waste, fraud, and abuse.
- Past, current, and projected effectiveness and efficiency of program administration.
- Financial and program performance relevant to organizational goals.

This report provides the results of the financial evaluation of:

1. City of San Antonio (COSA) in its capacity to deliver Child Care services for Workforce Solutions Alamo (WSA) for the period from June 1, 2023 through May 31, 2024.

The applicable sections of the current Texas Workforce Commission's Financial Monitoring Guide, applicable provisions from the OMB Circulars, federal and State regulations in concert with proprietary instruments and guides developed by **Christine H. Nguyen, CPA** were used in performing this financial evaluation.

The off-site review was conducted by Christine Nguyen, CPA, Michael Nguyen, CPA, Mary Yee, Mai Horio, and Brittney Nguyen (the firm) beginning July 5, 2024. The Exit Conference was conducted on September 23, 2024. Additional documents were provided on October 9, 2024.

## OVERVIEW

---

The scope of this financial evaluation included a review of the following areas:

- Audit / Monitoring
- Disbursements
- Provider Payments
- Financial Reporting
- Insurance
- Local Match
- Recoupment

The following review area resulted in instances of non-compliance or otherwise reportable conditions:

1. Disbursements
2. Financial Billing

The issues as identified in the Schedule of Financial Findings and Recommendations will be classified as either an observation or a finding:

- **Observation:** The financial areas as identified are not considered as non-compliance issues with federal and State rules and regulations or contract requirements. The intent for the recommendations of these observations is to strengthen the subcontractor's current accounting systems.
- **Finding:** The financial areas as identified are considered as non-compliance issues with federal and State rules and regulations or contract requirements. The subcontractor must implement a corrective action plan immediately to address these findings.

## **SCHEDULE OF FINANCIAL FINDINGS AND RECOMMENDATIONS**

---

### **I. AUDIT**

The audit reports for the period ended September 30, 2023 were reviewed. COSA has received an unmodified opinion for the audited period and is considered a low-risk auditee. There were no questioned costs that pertained to WSA programs.

### **II. CASH MANAGEMENT**

The cash management system was evaluated to ensure that the following processes have been implemented:

1. To minimize the time lapse between the receipt of funds from WSA and disbursement of those funds.
2. To reconcile bank reconciliations timely.
3. To ensure that the fidelity bond coverage is sufficient to protect WSA from loss. To have written policies and procedures to document cash management processes.

February 2024, April 2024, and May 2024 bank reconciliations for Operating and Payroll accounts were reviewed. *No exceptions were found.*

### **III. EXPENDITURE DISBURSEMENTS**

The disbursement test was conducted to determine if personnel and non-personnel costs were expended in compliance with federal and State regulations and that expenditures were supported with sufficient documentation.

#### **A. Personnel Costs**

The firm selected 28 transactions.

#### **Observation**

1. One employee was underpaid.

#### **Findings**

1. Twelve (12) reports did not have evidence of employee signatures on Employee Acknowledgment on Time & Effort reports.
2. One employee did not sign the Form I-9 on or before the date of hire.

#### **Recommendations**

1. Ensure that the employees sign Form I-9 on or before the date of hire.
2. Place controls to ensure that the employees sign the Employee Acknowledgment on Time and Effort reports.

#### **B. Non-Personnel Costs**

The firm selected 25 transactions.

#### **Observation**

1. The employee did not provide COSA the hotel receipt showing daily charges and taxes.

### **Findings**

1. Cost reasonableness documentation was not maintained for car rental and airfare.
2. The lodging rate exceeded GSA rate-questioned costs \$474.24.

Details are in **Attachment 1**.

### **Recommendations**

1. Maintain cost reasonableness documentation to comply with the TWC FMGC, Chapter 14, Procurement.
2. Refund \$474.24 to WSA.

### **C. Provider Payments**

The firm randomly selected 40 customers for review. The elements tested are as follows:

1. Days billed accurately reflected on TWIST.
2. Accuracy of Parent Share of Cost deducted.
3. Accuracy of rate paid to Provider.
4. Evidence of Provider Agreement that is effective for reviewed payment.
5. Evidence of TWIST Payment Proof.
6. Verification that amounts of check proof and ACH Direct Deposit or Cancelled Payment Check match.

### **Findings**

1. We have not obtained information on the ages of the children to validate the rates paid to the providers for all selected sample items.
2. We need evidence of recoupment/collection for one overpayment.
3. Four transactions of PSOC amounts on Forms 2450 were not consistent with amounts deducted in TWIST.

Details are in **Attachment 2**.

### **Recommendation**

1. Provide documentation on the ages of the children so that we may verify the rates paid to the providers.
2. Resolve the remaining issues in **Attachment 2**.

### **D. Parent Recoupment Payments**

A financial compliance review of WSA's Child Care Services (CCS) Recoupment payments was conducted to evaluate the City of San Antonio's CCS staff's compliance with Texas Administrative Code, Title 40, Part 20, Chapter 809, Subchapter F: Fraud, Fact-Finding and Improper Payments; the Texas Workforce Commission (TWC), Child Care Services Guide, Part G: Fraud, Fact-Finding and Improper Payments; TWC Workforce Development Letter WD 21-16, Change 2: Requirements for Reporting and Fact-Finding for Suspected Fraud, Waste, Theft, Program Abuse Cases, and Recovery of Improper Payments—Update, July 30, 2021; and, WSA and COSA Child Care policies and procedures. Five (5) randomly selected child care recoupment payments. *No exceptions were found.*

## V. FINANCIAL & OTHER REPORTING

The following reports were reviewed:

- FY23 Closeout
- May 2024 (Project-to-date billing)
- Monthly Cost Summary
- Local Match

### 1. Financial Billings

#### Observations

1. There were several areas that were identified for the project-to-date through May 31, 2024 billing reports that need to be adjusted before the end of the contract:
  - ✓ Expenditures have exceeded the budget line-items in CCQ-Provider Costs-Quality Supplies/Materials-Client; Mentor Support-Travel-Contractor; and IND Operations-General Operations-Contractor.
  - ✓ The Non-Mentor Payroll and Fringe-Contract and Professional Services costs were under-reported in CCQ.

#### Findings

1. SIR Closeout Report through 3/31/23: The reported expenditure amounts exceeded the general ledger by \$278,860. Questioned Costs. (**Attachment 3**)
2. The October 2023 Child Care Local Match Agreements for Direct Care Services and Quality Improvement certifications were not submitted in a timely manner. These reports were submitted on April 17, 2024.

#### Recommendations

1. Address the above issues or refund WSA \$278,860.
2. Place controls to ensure that Match certifications are submitted timely.
3. Place controls to ensure that budget amendments are initiated in a timely manner.
4. Review the under-reported line-item to ensure that the expenditures should be excluded from WSA's billings.

### 3. Local Match

A financial compliance review of WSA's Child Care Services (CCS) Local Match payments was conducted to evaluate the City of San Antonio's CCS staff's compliance with relevant Federal, State, and WSA and COSA Child Care policies and procedures. The monitors reviewed five (5) randomly selected local match certifications. **No issues were identified.**

## VI. INSURANCE

COSA has provided evidence of self-insurance coverage for all required insurance based on contract requirement. *No issues were identified.*



## MEMORANDUM

**To:** Executive Committee  
**From:** Maria Martinez, Interim Director of Human Resources  
**Presented By:** Adrian Lopez, CEO  
**Date:** March 7, 2025  
**Subject:** Employee Handbook Update

---

**Summary:** This memorandum provides an update and seeks approval for changes to the 2021 Employee Handbook in accordance with our current human resources policies and guidelines. The Employee Handbook is a key document that clarifies employee rights, responsibilities, and organizational policies. It is important to periodically update this document to reflect changes in laws, regulations, and internal policies.

This item requires Board approval as the Employee Handbook directly impacts all employees and must be consistent with organizational goals and legal standards. The Board's review ensures that the revisions meet our compliance obligations and strategic direction. The handbook undergoes periodic reviews for updates at least every five years or as required when significant changes in HR laws or company operations occur.

**Analysis:** The updates to the Employee Handbook include key revisions, as listed on the revision matrix. All revisions consistently align with the organization's goals and enhance employee experience. These changes aim to ensure compliance with current HR laws, improve policy clarity, and address employee feedback to foster a supportive work environment.

**Alternatives:** N/A

**Fiscal Impact:** The changes to the Employee Handbook may involve costs related to the final legal review; the current budget covers these costs and does not require additional funding.

**Recommendation:** Staff recommends that the Board approve the proposed changes to the 2021 Employee Handbook. These changes reflect necessary updates and align with current HR laws and internal policies. Approval will ensure that our organization remains compliant and responsive to employee needs.

workforcesolutionsalamo.org  
communications@wsalamo.org

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**Next Steps:** Human Resources will update and distribute the Employee Handbook to all employees. In addition, HR will conduct training sessions for staff to ensure an understanding of the updated policies and procedures.

**Attachment:** 2025 Employee Handbook

DRAFT



# EMPLOYEE HANDBOOK 2025



## DRAFT

### WELCOME NEW EMPLOYEES!

On behalf of your colleagues, I welcome you to Workforce Solutions Alamo ("WSA" or the "Agency") and wish you every success here.

We believe that each employee contributes directly to WSA's growth and success, and we hope you will take pride in being a member of our team.

This Employee Handbook was developed to outline current policies, programs, and benefits available to eligible employees. This Handbook applies to both new and current employees. Employees should familiarize themselves with the contents of the Handbook as soon as possible, for it will answer many questions about employment with WSA.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

(electronic signature)

Adrian Lopez  
CEO

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## **INTRODUCTION STATEMENT**

This Handbook is designed to acquaint employees with Workforce Solutions Alamo ("WSA" or "Agency") and its employment policies. Employees are required to read, understand, and follow all Handbook provisions. WSA complies with all federal and state employment laws, and this Handbook reflects compliance with those laws.

This Handbook supersedes previous handbooks or policy statements dealing with the subjects discussed herein. This Handbook is not and in no way creates an employment contract for any duration of time. Except for the at-will employment policies, all policies are subject to change at WSA's sole discretion with or without notice. Employees will be notified of such changes to the Handbook as they occur. After publication of changes, the employee's continued employment will signify the employee's acceptance of the policy change(s). Please understand that no Employee Handbook may address every situation in the workplace.

## **ABOUT US**

### **IDENTITY**

WSA serves as the governing board for the regional workforce system, a network of service providers and contractors that brings people and jobs together. WSA represent the taxpayers of the 13-county Alamo region that includes Atascosa, Bandera, Bexar, Comal, Frio, Gillespie, Guadalupe, Karnes, Kendall, Kerr, McMullen, Medina, and Wilson counties. WSA executives, staff, and board members reflect the diverse constituencies of the regional community: business, economic development, labor, community organizations, and government.

### **MISSION**

Strengthen the Alamo regional economy by growing and connecting talent pipeline to employers.

### **VISION**

To lead the most integrated community workforce network in the nation.

### **CORE VALUES**

WSA embraces the values of accountability, collaboration, excellence, innovation, and integrity.

## SECTION I - GENERAL PROVISIONS

### 1.1 EMPLOYMENT AT-WILL

All employees, except for the CEO, are employed on an at-will basis. This means that the employee or WSA may terminate the employee's employment relationship at any time, with or without notice, subject to the employee's notice requirement for resignation, with or without cause, for no reason or any reason.

Nothing contained in this Handbook, or any other document provided to the employee, is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time. In addition, no Agency representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship, except a written individual employment agreement signed by the President of the WSA.

### 1.2 EQUAL EMPLOYMENT OPPORTUNITY

WSA is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. The Agency strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy and sexual orientation), gender (including gender nonconformity, gender identity, and status as a transgender individual), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, political affiliation or belief, protected hairstyle (including hair texture and natural hair types historically associated with race including but not limited to braids, locks, and twists), prior civil rights activity, or any other characteristic protected under applicable federal, state, or local law.

All WSA employees, contractors, and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, recruitment, hiring, training, promotion, transfer, discipline, compensation, benefits, and termination of employment.

**1.2.1 Americans with Disabilities Act:** WSA complies with the Americans with Disabilities Act ("ADA"), the Texas Commission on Human Rights Act, and all applicable state and local laws. Consistent with those requirements, the Agency will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. If an employee believes an accommodation is needed, refer any such request to Human Resources. To request a Reasonable Accommodation, see Reasonable Accommodations for Individuals with Disabilities, Section 1.4.1.

**1.2.2 Immigration Law Compliance:** WSA is committed to employing only individuals who are legally authorized to work in the United States and does not unlawfully discriminate based on citizenship status or national origin.

## DRAFT

**1.2.3 Complaint Procedure:** Any employee subjected to conduct that the employee believes violates this policy must promptly speak to, write, or otherwise contact a direct supervisor, Human Resources, or any member of management, including any supervisor, manager, director, or executive as soon as possible after the offending conduct. Any member of management who observes discriminatory conduct must report the conduct to Human Resources or the CEO. If a satisfactory response is not received within five days after reporting any incident perceived as discriminatory conduct, immediately contact the CEO. Anonymous reporting also is available. See Complaint Procedure, Section 1.3.3.

**1.2.4 No Retaliation:** No one will be subject to and WSA prohibits any form of discipline, reprisal, intimidation, or retaliation for good faith reports or complaints of incidents of discrimination of any kind, pursuing any discrimination claim, or cooperating in related investigations.

**1.2.5 Violations of this Policy:** Any employee, regardless of position or title, whom WSA determines has subjected an individual to discrimination or retaliation in violation of this policy will be subject to discipline, up to and including termination of employment.

**1.2.6 Questions:** Questions regarding this policy or questions about discrimination, accommodations, or retaliation in employment that are not addressed in this policy should be addressed to Human Resources. (Questions regarding discrimination and accommodations related to WSA partners and service providers should be addressed to the EO Officer.)

## 1.3 HARASSMENT AND SEXUAL HARASSMENT

WSA strictly prohibits and does not tolerate unlawful harassment against employees or any other covered persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy and sexual orientation), gender (including gender nonconformity, gender identity, and status as a transgender individual), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, protected hairstyle (including hair texture and natural hair types historically associated with race including but not limited to braids, locks, and twists), prior civil rights activity, or any other characteristic protected under applicable federal, state, or local law. Harassment is prohibited both at the workplace and at Agency-sponsored events.

**1.3.1 Sexual Harassment:** All WSA employees, contractors, representatives, and third parties (including but not limited to vendors, partners, and visitors) are prohibited from harassing employees and other covered persons based on that individual's sex or gender (including pregnancy, sexual orientation, and gender identity) and regardless of the harasser's sex or gender.

Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

## DRAFT

- Submission to such conduct is either an expressed or implied term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for an employment decision affecting the harassed person.
- The conduct has the purpose or effect of unreasonably interfering with an affected person's work performance or creating an intimidating, hostile, or offensive work environment.

**1.3.2 Other Types of Harassment:** WSA will not tolerate any form of harassment or sexual harassment, regardless of whether it is verbal (for example, epithets, derogatory statements, slurs, sexually related comments or jokes, unwelcome sexual advances, or requests for sexual favors); physical (for example, assault or inappropriate physical contact); visual (for example, displaying sexually suggestive posters, cartoons, or drawings, sending inappropriate adult-themed gifts, leering, or making sexual gestures); or online (for example, derogatory statements or sexually suggestive postings in any social media platform including but not limited to Facebook, Twitter, Instagram, Snapchat).

In all types of harassment and sexual harassment, the above lists are illustrative only, and not exhaustive. No form of harassment or sexual harassment will be tolerated.

**1.3.3 Complaint Procedure:** Any employee subjected to conduct that the employee believes violates this policy or employees who witness any such conduct must speak to, write, or otherwise contact their direct supervisor, Human Resources, or any member of management as soon as possible after the offending conduct. WSA also provides an anonymous reporting service to report concerns. The complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. A prompt investigation will be conducted. Following the investigation, the Agency will take prompt corrective action, if appropriate. Anonymous reporting is available to employees via multiple communication channels:

- Website: [www.lighthouse-services.com/wsalamo](http://www.lighthouse-services.com/wsalamo)
- Anonymous Reporting App
  - Download Lighthouse Services, Inc.'s free "Anonymous Reporting" App
  - Keyword: wsalamo
- Toll-Free Telephone:
  - English-speaking: 833-480-0010
  - Spanish-speaking: 800-216-1288
  - Contact Lighthouse Services if another toll-free number is needed for callers speaking languages other than English or Spanish
- E-mail: [reports@lighthouse-services.com](mailto:reports@lighthouse-services.com) (must include company name with report)
- Fax: 215-689-3885 (must include company name with report)

If a satisfactory response is not received within five days after reporting any incident perceived as discriminatory conduct, please immediately contact the CEO.

## DRAFT

Additionally, any manager or supervisor who observes harassment or sexual harassment must report the conduct to Human Resources or the CEO so that an investigation may be conducted, and corrective action taken, if appropriate.

**1.3.4 No Retaliation:** No one will be subject to and WSA prohibits any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of incidents of harassment of any kind, pursuing any harassment claim, or cooperating in related investigations.

**1.3.5 Violations of This Policy:** Any employee, regardless of position or title, whom WSA determines has subjected an individual to harassment or retaliation in violation of this policy, will be subject to discipline, up to and including termination of employment.

**1.3.6 Questions:** Employees with questions regarding this policy or questions about harassment that are not addressed in this policy should contact Human Resources.

### 1.4 REASONABLE ACCOMMODATIONS

WSA is committed to providing equal employment opportunities to qualified individuals with disabilities, and to provide accommodations in accordance with the Americans with Disabilities Act ("ADA"), the Pregnant Workers Fairness Act ("PWFA"), the Texas Commission on Human Rights Act ("TCHRA"), and all applicable federal, state, and local fair employment practices laws. WSA is committed to ensuring equal employment opportunities for qualified individuals with disabilities and will not discriminate with regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment.

**1.4.1 Reasonable Accommodations for Individuals with Disabilities:** The Agency will provide reasonable accommodations to qualified individuals as long as the accommodation does not pose an undue hardship on WSA or pose a direct threat to the individual or to others in the workplace.

- Employees must comply with safety standards. Any employee who would pose a direct threat to themselves or others in the workplace will be placed on appropriate leave until an Agency decision is made regarding the immediate employment situation.
- If applicants pose a direct threat to the health, safety, and well-being of themselves or others in the workplace even with a reasonable accommodation, then the request for an accommodation will be denied if it cannot eliminate the threat and, if pertaining to an applicant, the applicant will not be hired.
- The use of illegal drugs is not a reasonable accommodation under this policy.

**1.4.2 Requesting a Reasonable Accommodation:** Employees who believe an accommodation is needed because of a disability or pregnancy must contact Human Resources. Upon receipt of an accommodation request, Human Resources will meet with the employee to discuss and identify the precise limitations resulting from the disability and the potential reasonable accommodations that could overcome those limitations.

**1.4.3 Determination:** The Agency makes determinations on reasonable accommodation on a case-by-case basis considering various factors permitted by law and based on an individualized assessment in each situation. The Agency is not required to provide the specific accommodation requested and may provide an alternative, effective accommodation, to the extent any reasonable accommodation may be made without imposing an undue hardship on the Agency. The Agency strives to make determinations on reasonable accommodation requests expeditiously and will inform the individual once a determination has been made. Any questions about a reasonable accommodation should be directed to Human Resources.

**1.4.4 Medical Information:** If a disability or need for accommodation is not obvious, WSA may ask for supporting documents showing the employee has a disability within the meaning of the ADA and other applicable federal, state or local laws, and that the disability necessitates a reasonable accommodation.

- If the information provided in response to this request is insufficient, the Agency may require that the employee see a healthcare professional of the Agency's choosing at the Agency's expense. In those cases, failure to provide the requested information or see the designated healthcare professional may result in a denial of the request for accommodation.
- The Agency keeps confidential any medical information obtained in connection with this policy.

**1.4.5 Reasonable Accommodation for Pregnant Workers:** WSA provides reasonable accommodations for qualified employees with known limitations related to pregnancy, childbirth, or related medical conditions, regardless of whether those conditions rise to the level of a disability, unless the accommodations impose an undue hardship on the employer. All questions should be directed to Human Resources for more information.

**1.4.6 Reasonable Accommodation for Religion:** WSA will provide a reasonable accommodation of an applicant's or employee's sincerely held religious belief if the accommodation would resolve a conflict between the individual's religious beliefs or practices and a work requirement, unless doing so would create an undue hardship for the Agency.

- Requests for a religious accommodation must be made orally or in writing to Human Resources. Include the following relevant information: a description of the accommodation being requested, the reason for the accommodation, and how the accommodation will help resolve the conflict between the employee's religious beliefs or practices or lack thereof and one or more of the employee's work requirements.
- After receiving your oral or written request, WSA will engage in a dialogue with you to explore potential accommodations that could resolve the conflict between the employee's religious beliefs and one or more of the employee's work requirements. WSA encourages employees to suggest specific reasonable accommodations that may resolve any such conflict. However, WSA is not required to make the specific accommodation requested and may provide an alternative, effective accommodation,

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to the extent any accommodation can be made without imposing an undue hardship on the Agency.

- WSA may ask for additional information about the religious practices or beliefs and the accommodation requested. Failure to provide the requested information may result in the accommodation being denied.
- WSA makes determinations about religious accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. WSA strives to make determinations on religious accommodation requests expeditiously, and will inform the individual once a determination has been made.

**1.4.7 No Retaliation:** Individuals will not be retaliated against for requesting an accommodation in good faith. WSA expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

**1.4.8 Reporting Violations:** If employees or applicants feel that they, another employee, or others may have been subjected to conduct that violates this policy, it should be reported immediately to Human Resources.

## 1.5 OPEN COMMUNICATION

WSA strives to maintain candid and open communication with employees. The following principles apply:

- Employees are encouraged to discuss work-related concerns with a supervisor, manager, or Human Resources.
- From time to time, a member of management may initiate discussions about work-related issues or business matters in individual or group settings.
- Staff members may discuss their concerns without fear of retaliation.

## 1.6 WHISTLEBLOWER POLICY

A whistleblower is an employee who reports an activity that the employee considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

**1.6.1 Whistleblower Protections:** Whistleblower protections are provided in two important areas—confidentiality and against retaliation. To the extent possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to

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conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense.

**1.6.2 Making a Report:** If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the employee's immediate supervisor, Human Resources, or the CEO. In addition, employees may contact the Agency's Fraud, Waste, and Program Abuse Hotline at (800) 252-3642. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

**1.6.3 No Retaliation:** WSA will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments, and threats of physical harm. Employees who believe they are being retaliated against must contact Human Resources immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

## 1.7 WORKFORCE INNOVATION AND OPPORTUNITY ACT GRIEVANCE PROCEDURES

WSA provides a procedure to settle grievances about possible violations of the Workforce Innovation and Opportunity Act ("WIOA").

**1.7.1 Prohibited Discrimination:** Under WIOA, WSA is prohibited from discriminating against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act, on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;
- providing opportunities in, or treating any person with regard to, such a program or activity; or
- making employment decisions in the administration of, or in connection with, such a program or activity.

**1.7.2 Submission:** Applicants and employees may file a written grievance within 180 days of the alleged act of discrimination in employment practices and/or wage-related complaints to Human Resources:

- Name, position, date of hire, and date of grievance
- Date the incident occurred
- A brief summary of the incident including the reason why the grievance is being filed, people directly involved in the incident, and witnesses

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- Written or electronic signature

Grievances will be processed in accordance with WIOA rules.

### 1.8 ETHICS AND CONFLICTS OF INTEREST

Employees are required to use good judgment, adhere to the highest ethical standards in all dealings that involve the Agency, and refrain from activities that conflict or appear to conflict with WSA or its mission. Business decisions and actions must be based on the best interests of the Agency, and must not be motivated by personal considerations or relationships, including with Family Members and Third Parties. This policy is in addition to applicable state and federal laws governing Conflicts of Interest.

#### 1.8.1 Definitions:

- A **Conflict of Interest** exists when an officer, director, or employee may benefit financially from a decision made in that individual's capacity, including direct or indirect benefits to Family Members or closely associated businesses. A potential Conflict of Interest exists when an officer, director, or employee is in a position to influence a decision that may result in a personal gain for the individual or the individual's Family Member as a result of the Agency's business dealings.
- **Family Member(s)** include a spouse; domestic partner; parent; son or daughter; brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; cousin; guardian or ward; step, half, or in-law relation; a person living in one's household; and any other person with such a close bond as to suggest conflict in the employment relationship (for example, a fiancé or individuals in a dating relationship).
- **Third Party** includes prospective or existing suppliers, vendors, contractors, service providers, distributors, business associates, lenders, financial institutions, competitors, lessors, lessees, or other entities with whom the Agency contracts or does business.

#### 1.8.2 Rules:

- Employees are prohibited from engaging in any activity, practice, or act which conflicts with, or appears to conflict with the interests of WSA or the employee's work-related duties. Such activity is influenced by considerations of one or more of the following: gain or potential gain to the employee, entity, or organization in which the employee; or a Family Member has employment interest, substantial financial interest, or other interest that influences the employee's ability to perform the employee's job duties and responsibilities.
- Employees and their immediate families are prohibited from accepting gifts, except those of nominal value (\$25.00 or less), money, or any other item of value from any person or group doing or seeking to do business with WSA.

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- Employees must not give, offer, or promise, directly or indirectly, anything of value, including services outside the ordinary course of business, to any customer, vendor, relative, potential customer, or any other person or entity.
- WSA's operational strategies and business decisions are confidential unless previously officially disclosed by the Agency to the public. Employees may not divulge confidential information about WSA's operational strategies and business decisions without authorization from the CEO.
- Employees are not to hold any positions with any entity doing business or seeking to do business with WSA without prior written permission from the CEO.
- Under no circumstances should employees conduct any outside business, self-employment, or any activities that may create a conflict of interest with WSA.

**1.8.3 Favors and Gifts:** Employees should make business decisions in the best interests of WSA. WSA prohibits employees from seeking or accepting any gifts, favors, entertainment, payment, or loans for themselves or their family members from any client, customer, vendor, supplier, or contractor or other party doing business with WSA except for gifts of less than \$40.00 or tickets or admittance to an event if prior approval is obtained from the employee's director. Cash should never be accepted. WSA also prohibits employees from giving any gifts or favors to any party doing business with WSA without prior approval from a director. Cash gifts should never be made.

**1.8.4 Reporting:** Employees with questions or concerns about the interpretation or applicability of any of these policies must contact Human Resources. Employees must disclose to Human Resources or the employee's direct supervisor any situation that is or appears to be a Conflict of Interest. An employee who fails to disclose an actual or possible Conflict of Interest will be given the opportunity to explain the failure to disclose, and the Agency may conduct an investigation.

Employees with information tending to show a violation of the requirements and intent of this policy are required to report that information to Human Resources. If the perceived violation involves the CEO, the report should be made to the President of the Board or to the General Counsel.

**1.8.4 Disciplinary Action:** WSA has sole discretion to determine whether a Conflict of Interest exists. An Agency determination of violation of this policy may result in disciplinary action up to and including termination of employment.

**1.8.5 No Retaliation:** WSA prohibits any form of discipline, reprisal, intimidation, or retaliation for reporting an actual or potential conflict of interest, a violation of this policy, or cooperating in related investigations.

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### 1.9 PARTNER RELATIONS

Partners are among WSA's most valuable assets. Employees are expected to be courteous, friendly, helpful, and prompt in the attention given to all partners, in person, on the telephone, and in any communication sent to partners.

## SECTION II – EMPLOYMENT

### 2.1 CLASSIFICATION AND CATEGORIES OF EMPLOYEES

Employees of WSA are classified as either exempt or non-exempt according to the provisions of applicable federal and state law.

- 2.1.1 Non-exempt employees** are paid hourly and are entitled to pay for overtime work at a rate of 1.5 times their regular rate of pay for all hours worked over 40 in a workweek as required by applicable federal, state, and local law.
- 2.1.2 Exempt employees** are salaried and are not entitled to overtime pay. Specific rules apply to exempt employee salary deductions. For more information, please see Pay Deductions, Section 3.2.
- 2.1.3 Changes from Non-exempt to Exempt Status:** Reassignment from a non-exempt to an exempt position, or vice versa, is considered on a case-by-case basis as required by law.
- 2.1.4 Other Categories:** WSA employees are also grouped by the following categories:
- **Full-time Employees** have successfully completed an introductory period of employment and are normally scheduled to work 32 hours or more per week, except for approved time off.
  - **Part-time Employees** have successfully completed an introductory period and are normally scheduled to work at least 20 but less than 32 hours per week.
  - **Temporary Employees:** Occasionally an employee will be hired for a short time to complete a project or to work part-time hours. Temporary employees are not eligible for most employee benefits.
- 2.1.5 Introductory Period of Employment:** WSA requires a 90-day introductory period for all new employees and employees who are new to a position to give the Agency and the employee the opportunity to determine whether the work is suitable, and for supervisors to evaluate performance, behavior, and attendance. The introductory period may be extended for any reason at the sole discretion of the Agency. The introductory period does not change the at-will status of all employees.
- 2.1.6 Independent Contractors:** From time to time, WSA may engage an independent third party to provide services for a project and/or for a limited period. These independent third parties are self-employed; are responsible for their own taxes and expenses; are not subject to an employer's direction and control; have the opportunity for profit and loss; and are not WSA employees for any purpose. Consequently, such independent

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contractors are not eligible to receive and do not receive any of WSA's employment benefits.

### 2.2 JOB APPLICATION AND ASSESSMENT PROCESS

WSA requires that any person interested in being employed by this Agency must first complete an application for employment and all supplemental documents, as required.

- 2.2.1 New Positions:** New positions are created through the following procedure: Directors who require the creation of a new job are to discuss the need for the job and its related duties and responsibilities with the leadership team. Only the CEO may approve new job positions. The CEO may create interim positions, reclassify a position, or demote a position when in the best interest of the Agency.
- 2.2.2 Job Postings:** Human Resources assists with the development of job descriptions and posts appropriate job openings both internally and externally.
- 2.2.3 Vacancy Required:** Applications are accepted only for current positions available. An employment application must be submitted for each vacancy. The application must be complete, and all the questions must be answered. Any skills, education, licenses, etc. required for the position must also be included with the application to ensure that the applicant meets minimum qualifications for the position. Human Resources and the hiring managers will screen applications to ensure that applicants meet the minimum qualifications for the open position. WSA will not consider applications submitted after a vacancy is filled.
- 2.2.4 Legal Eligibility:** All WSA employees must be legally authorized or eligible to work in the United States, and to have a valid Social Security number.
- 2.2.5 Internal Hires:** Any WSA employee may apply for any open position if the employee is not in an introductory period or on performance improvement plan, suspension, or pending disciplinary action.
- 2.2.6 Application and Screening:** All applicants, both internal and external, must complete an application for employment. In its initial screening process, Human Resources will review applications to ensure applicants meet minimum qualifications. Only applicants meeting the minimum requirements of the position will be considered.
- 2.2.7 Background Check:** WSA performs background checks in conformance with applicable law.
- 2.2.8 Interview and Selection:** After the screening process, the interview process will be initiated. Candidates, either internal or external, must be interviewed before being offered a position. Candidates are selected for employment based on WSA's assessment of which candidate best meets the needs of the organization for the position, utilizing such factors as: merit, qualifications, potential for career growth, adaptability,

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ability to learn or perform the essential functions of the job, and/or other factors WSA deems appropriate.

**2.2.9 Misrepresentations and Omissions:** In making its hiring decisions, WSA relies on the qualifications, work history, experience, achievements, attributes, and other information described and provided (directly or indirectly) to WSA, its recruiters, interviewers, or others during the application and hiring process (e.g., resume, application form, interviews, correspondence, and other materials and information). Therefore, if at any time WSA discovers a misrepresentation, omission, misstatement, or other inaccuracy, intentional or unintentional, in any of the information provided, employees will be subject to immediate termination if WSA, in its sole discretion, determines the misrepresentation, omission, misstatement, or inaccuracy was not negligible.

**2.2.10 Interim Appointments:** WSA may appoint an interim employee to immediately fill a vacated position when in the best interest of WSA.

- The word Interim will be added to the beginning title of the position.
- The interim position is temporary. An employee placed in an interim position will not automatically assume the position on a full-time permanent basis.
- Filling an interim position may or may not include a wage adjustment. Wages for employees who have had a wage adjustment while filling an interim position will be adjusted to their original amount when the employee returns to the original position.
- At the successful completion of the initial 90 days of the interim appointment, the interim employee's performance will be reviewed by the employee's supervisor, the CEO, and the Director. If the employee placed in the interim position has performed the duties of the position in an above average manner, the employee is eligible to be considered to for the position.

## 2.3 TELECOMMUTING

WSA may authorize a regular full-time employee to telecommute one or more days from a location off-premises from the regularly assigned place of work when it is in the best interests of the Agency. The decision to authorize telecommuting is at the sole discretion of the CEO. Participation does not alter an employee's at-will relationship with the Agency. All Agency rules, policies, and procedures apply to the telecommuting employee, as do existing terms and conditions of employment.

**2.3.1 Telecommuting Agreement:** A telecommuting agreement must be completed and signed by the employee and the employee's supervisor with the approval of the employee's Director and CEO, COO, or CFO prior to initiating a telecommuting arrangement.

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- 2.3.2 Ineligible Employees:** Some positions may not be suited to telecommuting, including but not limited to positions that require regular face-to-face contact with a supervisor, other employees, members of the Agency community or the public, or that require routine access to information or materials that are available only at the regularly assigned place of employment.
- 2.3.3 Telecommuting Rules of Conduct:** While telecommuting, employees must observe the following:
- Maintain a secure and safe work environment at the remote work site.
  - Non-work-related events and activities may not disrupt or interfere with the employee's work.
  - All Agency confidential information must be protected and secure.
  - Agency-approved protective software and other security technology must be installed and used on all equipment.
- 2.3.4 Regularly Assigned Place of Employment:** Employees participating in telecommuting must report to the regularly assigned place of employment as agreed upon with the supervisor and as indicated in the agreement. Additionally, when operational needs require, an employee must report to the regularly assigned place of employment upon the supervisor's request. Employees will be given as much advance notice as feasible under the circumstances presented.
- 2.3.5 Equipment and Supplies:** WSA will provide necessary equipment and supplies. WSA equipment and supplies may not be used for personal use or use by anyone other than WSA employees or contractors and should not be synced with personal backup accounts or devices.
- 2.3.6 Software:** Only Agency-approved software may be used for connecting with the Agency's network from the remote work site. Employees who are participating in telecommuting shall always run agency prescribed anti-virus software and follow all Agency information security rules, copyright laws, and manufacturers' licensing agreements.
- 2.3.7 Financial Responsibility for Losses:** Participating employees are responsible for any equipment and software that is used at the remote work site and accept financial responsibility for any equipment that is lost, stolen or damaged because of the employee's negligence, misuse, or abuse.

Participating employees must cooperate with law enforcement to make police reports and insurance company requests about missing, stolen, or damaged equipment and supplies.

## 2.4 LONG-DISTANCE REMOTE WORK

WSA may hire an applicant or enter a Long-Distance Remote Work arrangement with eligible employees who reside more than 100 miles away from an Agency office but within the state of Texas as a fully remote employee ("Long-Distance Remote Work").

- 2.4.1 All Policies Apply:** All Agency policies apply to all Long-Distance Remote Work arrangements, including but not limited to the policies in this Handbook, including but not limited to Telecommuting Policy 7.4. In the case of a conflict between this Long-Distance Remote Work Policy and the Telecommuting Policy, this Long-Distance Remote Work Policy controls.
- 2.4.2 Eligibility:** Employees may be eligible to be considered for Long-Distance Remote Work if the remote work arrangement is in the best interest of the Agency and the work can be performed remotely. Employees subject to a Performance Improvement Plan ("PIP") or any disciplinary action within the last six months are not eligible. Long-Distance Remote Work is at the Agency's sole discretion and may be withdrawn at any time.
- 2.4.3 Reporting to Agency Offices or Events:** The Agency may require employees working in Long-Distance arrangements to report to work at Agency's offices or Agency-sponsored events from time to time.
- 2.4.4 Trial Period:** Long-Distance Remote Work includes a trial period of 30 days and may be extended for any reason at the Agency's discretion.

## 2.5 OUTSIDE EMPLOYMENT

WSA does not prohibit employees from Outside Employment, as defined below, but has adopted the following rules and guidelines to protect the Agency's business interests:

- 2.5.1 Outside Employment** means having another employer, contractual arrangements, consulting engagements, self-employment, and volunteer activities.
- 2.5.2 Prohibitions:**
- Performing Outside Employment is prohibited during an employee's regular hours at WSA.
  - Outside Employment must not interfere with an employee's job duties or performance.
  - Employees must comply with WSA's policies on conflict of interest, confidentiality, and protection of WSA's non-public business information.
  - WSA prohibits the use of its premises and/or property to be used in connection with any Outside Employment.

- Outside Employment is prohibited while on any kind of leave of absence, except as required by a military commitment, and could result in discipline, up to and including termination.

**2.5.3 Advance Notice:** Before beginning Outside Employment, employees must provide advance written notice to Human Resources and approval by the CEO.

**2.5.4 Question:** Employees with questions or concerns regarding outside employment may contact Human Resources.

**2.5.5 Disciplinary Action:** Employees in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

## 2.6 NEPOTISM

WSA ensures that all employees are hired, promoted, or transferred based on individual merit. Realizing that supervisory positions have a certain amount of influence that might lead to accusations of favoritism or discrimination, the Agency has adopted the following rules and guidelines related to the employment of certain individuals, and referrals made by another employee. This policy applies to all WSA employees, regardless of position or title.

### 2.6.1 Prohibited Employment Relationships:

- WSA may not employ anyone who is related to a Board member or to the CEO by marriage or within a third-degree relationship.
- The hiring of family members, individuals in a close relationship with an employee, or a referred individual is prohibited if the employment of such an individual would result in the creation of a supervisor/subordinate relationship between the applicant and an employee.
- Additionally, no actual conflict of interest or the appearance of a conflict of interest will be permitted. Generally, this bars the hiring or employment of an employee's family members, others in a close relationship, or referred individuals within the same department.

**2.6.2 Family Member:** For purposes of this policy, a family member is defined broadly as spouse; domestic partner; parent; son or daughter; brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; cousin; guardian or ward; step, half, or in-law relation; a person living in one's household; and any other person with such a close bond as to suggest conflict in the employment relationship (for example, a fiancé or individuals in a dating relationship).

**2.6.3 Marriages or Relationships Between Employees:** If a situation that runs contrary to this policy is created due to a promotion, transfer, or marriage, the affected individuals will have a period of three months to settle the issue voluntarily. In such situations, one of the affected employees should request a transfer or resign. There is no guarantee,

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however, that a transfer will be an option in every case. If the individuals are unable to resolve the issue on their own, the department manager will decide, with the assistance from Human Resources and CEO, which employee is to be transferred or terminated to achieve compliance with the policy.

### 2.7 PERFORMANCE EVALUATION

WSA expects its employees to perform their job functions to a satisfactory level and conducts performance reviews of all employees to ensure that employees meet reasonable workplace standards and goals and are provided with assessments. Supervisors will assess employee achievement and areas needing improvement and will work together with the employee to set goals for the next review period and identify training and development that can be used to help the employee to improve performance. Employees will have the opportunity to provide personal commentary and will be asked to sign and date the review along with the supervisor.

Discussions about employee performance or manager's expectations may occur informally at any time, in addition to a formal performance evaluation.

### 2.8 PERFORMANCE IMPROVEMENT PLANS

If necessary, WSA may implement a performance improvement plan (PIP) to address an employee's failure to meet specific job performance issues or behavioral concerns.

PIPs place the employee on a probationary status. PIPs may result in improvement in overall performance, or other possible employment actions including but not limited to transfer, demotion, or termination of employment. WSA may also, in its sole discretion, terminate employment instead of placing the employee on a PIP. Nothing in this section is intended to alter the at-will employment relationship.

Progress toward satisfactory performance of job duties is required for continued employment. If at any time during the period of the PIP, the Director determines that the employee is not making satisfactory progress, employment may be terminated. Directors are expected to meet at least bi-weekly with the employee to discuss the employee's progress and to monitor resources provided.

If the employee is on a PIP at the time the annual evaluation is due or if the employee is placed on a PIP as a result of the annual evaluation, the employee will not receive a pay increase until the employee has successfully completed the PIP. The pay raise is not retroactive, and will not be effective for six months from the successful completion of the PIP.

## SECTION III – COMPENSATION

### 3.1 PAYROLL SCHEDULE

Paychecks will be distributed every other Friday for the pay period that ends on the previous Friday. Employees will receive paychecks at the office or employees may opt to have their pay deposited in their designated account on payday. Paychecks will only be given to the employee, unless written authorization by the employee is given to WSA and submitted to the Fiscal department at least 24 hours prior to payday.

- 3.1.1 Payday on Holidays:** In the event that a regularly scheduled payday falls on a holiday, employees will receive paychecks on the last day of work before the regularly scheduled payday.
- 3.1.2 Failure to Receive Pay:** If an employee does not receive a direct deposit or paycheck, notify Human Resources immediately.
- 3.1.3 Reporting Errors:** Employees must review pay checks for errors. If an employee finds a possible error, report it to the Payroll Administrator immediately.

### 3.2 PAY DEDUCTIONS

WSA is required by law to make certain deductions from employees' paychecks, including for federal and state income taxes, Social Security (FICA) taxes, deductions related to wage garnishment, child support, or other legal orders or notices. WSA also must deduct any employee-authorized contributions such as insurance premiums or retirement plans.

#### 3.2.1 Other Deductions:

- Other deductions from non-exempt employees' pay may be permitted under applicable federal, state, or local law.
- Other permissible deductions for exempt employees may include, but are not limited to, deductions for full-day absences for personal reasons other than sickness or disability, unpaid full-day disciplinary suspensions imposed in good faith for workplace conduct rule infractions, or a proportionate amount of the employee's full salary for time not worked in the employee's first or last week of employment.
- WSA prohibits deductions from employee pay except as required or permitted by applicable law.

Questions or concerns about deductions may be directed to Human Resources.

### 3.3 TIMEKEEPING

Recording time is required for all employees. Non-exempt employees are required to provide accurate information concerning hours worked and to notify their supervisor of any deviation from scheduled hours. Exempt employees are required to input hours worked in order to track staffing needs.

- 3.3.1 Deadline to Complete Time Records:** Time records must be accurate and complete and approved by a direct supervisor no later than 10:00 a.m. on Monday morning prior to a payday.
- 3.3.2 Program Codes:** Employees must post their hours worked to the codes assigned to the various Agency programs.
- 3.3.3 Permissible Changes to Another Employee's Time Record:** Only the Payroll Administrator may record or correct another employee's time record.
- 3.3.4 Impermissible Changes to Another Employee's Time Record:** Falsifying time entries, including by working "off the clock," or recording time on another employee's time record is strictly prohibited and will result in disciplinary action, up to and including termination of employment.
- 3.3.5 Reporting Requirement:** Employees are required to report any falsification of time entries to Human Resources.

### 3.4 OVERTIME

WSA employees may occasionally be required to work more than eight hours in a workday or 40 hours in a workweek.

- 3.4.1 Payment of Overtime:** Non-exempt employees will be paid overtime compensation in accordance with applicable federal law at a rate of 1.5 times the regular rate of pay for all hours worked over 40 in any workweek. Overtime pay is based on hours worked. For example, hours attributable to paid time off, holidays, and leave are not included in calculating hours of overtime.
- 3.4.2 Pre-approval Required:** Non-exempt employee overtime must be pre-approved in writing by an employee's supervisor. The approval also must be reflected on the employee's time sheet.
- 3.4.3 Exempt Employees:** Exempt employees do not receive overtime pay and are paid a salary that is intended to compensate them for all hours worked.

### 3.5 TRAVEL TIME

WSA may require employees to travel within the scope of their job duties.

**3.5.1 Compensation:** Non-exempt employees may be entitled compensation for time spent traveling based on the type of travel and whether the travel time takes place during normal work hours, as follows:

- An employee is not entitled to paid travel time during normal travel to and from home to work. However, travel time to and from a work site other than the employee's assigned work location will be considered as time worked.
- If the employee is required to travel between work sites, that time will be regarded as time worked.
- If the employee travels to a work commitment out of the area on a non-working day, (e.g. on a Saturday or Sunday), during hours that would normally be considered work hours (for example, 8:00 a.m. to 5:00 p.m.), the travel time will be counted as hours worked. However, if the employee travels outside of normal working hours or travels as a passenger, then travel time is not considered time worked.
- Compensable travel time that results in overtime will be paid as overtime hours based on the employee's regular rate.
- If an employee returns from out-of-town travel during the normal workday hours, the employee is expected to notify the employee's supervisors so that the supervisor may determine if the employee should return to work for the remainder of the day.

Directors may, on a case-by-case basis, allow non-exempt employees time off for special situations such as for travel outside of normal business hours.

### 3.6 TRAVEL EXPENSES

Employees of WSA may be reimbursed for certain allowable travel expenses, related to official WSA business, when the expenses have been approved by WSA in advance and proper documentation has been submitted to verify the expense.

**3.6.1 Prior Approval Required:** Travel outside of the WSA Area requires prior written approval. Employees traveling out-of-state, within the continental United States may receive an allowance for meals and lodging.

- Employees should consult with a direct supervisor and the Fiscal Department regarding travel requests and forms.
- The Fiscal Department maintains the most current documents and reimburses accordingly as published on: <https://fm.xcpa.state.tx.us/fm/travel/travelrates.php>

**3.6.2 Reimbursement:** Employees will be reimbursed for authorized travel and related expenses incurred while performing official WSA business in accordance with these guidelines.

**3.6.3 State Travel Management Program:** All WSA staff must utilize the State Travel Management Program (“STMP”) when traveling on WSA official business. The STMP assists WSA by utilizing vendor contracts to provide discounted travel services such as travel reservations, ticketing, lodging, and rental car reservations. The Fiscal Department will be the point of contact when utilizing the STMP. When using the STMP, each WSA employee must:

- Prepare and submit the Travel Authorization Form to the Fiscal Department for the CEO’s approval. When approved, the Fiscal Department arranges for payment of fees and notifies the employee of the per diem rates for the area.
- After approval, the employee completes the TSR (Travel Authorization, AWD FORMTA.10) and will then schedule travel services through a designated contract travel agency and confirm hotel accommodations; and
- Any employee traveling to Washington D.C., must closely coordinate with the WSA travel coordinator [confirm], who informs the Office of State Federal Regulations (OSFR) regarding the time of the trip, the trip’s purpose, and the name of a contact person for additional information.

**3.6.4 Mileage Rate:** Annually, the reimbursement rate for mileage is determined and posted by the Texas Comptroller of Public Accounts. The Fiscal Department will announce changes as they are made.

**3.6.5 Reimbursable Miles:**

- When using a personal vehicle for work-related travel, under no circumstances will an employee be reimbursed for normal travel between home and work or for personal travel (e.g. personal errands, medical appointments, etc.).
- The number of reimbursable miles may not exceed the number of miles of the most cost-effective, reasonably safe route between two duty points. In determining the most cost-effective, reasonably safe route, WSA may consider the route that provides the shortest distance, the quickest drive time, or the safest road conditions.
- The number of miles traveled by an employee on Agency business may be determined by point-to-point itemization, documented by the employee’s vehicle odometer reading, or by a readily available online mapping service.
- An increase in the number of miles due to the employee’s receipt of inadequate directions or being “lost” is not reimbursable.

**3.6.6 Overnight Travel:** Employees may claim actual expenses for meals up to a maximum daily allowance as identified by the Fiscal Department for eligible travel events (e.g. training, conferences, meetings, etc.) outside the WSA area. For the first and last calendar days of travel, daily allowances are calculated at 75 percent of a full day’s allowance. Employees should request the specific daily allowances from the Fiscal Department prior to traveling outside the WSA area.

**3.6.7 Travel Without Overnight Stays:** Employees may claim actual meals if they are outside the WSA area at least six hours of the day; the meal reimbursement may not exceed

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\$36.00 for the day and is taxable as wages, because travel must be away from home overnight to be excludable.

- 3.6.8 Third Party Transportation:** Employees may claim actual travel related expenses, such as parking or taxi, Lyft, Uber, or airport/hotel shuttles fares associated with eligible travel events. Such expenses must be documented with receipts. If a receipt cannot be obtained (e.g., unattended parking), the employee must submit a signed statement attesting to the expenditure.
- 3.6.9 Lodging:** Lodging, transportation, and registration costs for eligible travel events will be arranged by WSA. Cancellations for lodging, transportation, registration, etc. are the responsibility of the employee. Failure to make appropriate cancellations may result in costs being billed to the employee.
- 3.6.10 Travel Reports:** When travel is completed, employees are to submit travel reports using authorized forms within five working days upon the completion of travel. Receipts for individual expenses must accompany reports.
- 3.6.11 Questions:** Employees should consult with their managers for guidance and assistance with procedures related to travel authorization, arrangements, advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

## SECTION IV - EMPLOYEE BENEFITS

### 4.1 OVERVIEW

WSA may offer regular full-time employees health insurance, retirement, and other benefits, including but not limited to short and long-term disability. The Agency may review, change, or eliminate these programs without notice at its sole discretion. The information contained in this Employee Handbook is not a contract to provide benefits to any employee.

- 4.1.1 Eligibility:** The eligibility requirements of each benefit program offered are described in the applicable plan document or summary plan descriptions.
- 4.1.2 Plan Documents Govern:** If there is a conflict between the information in this Employee Handbook and the actual plan document or policies, the plan documents or policies will always govern.

### 4.2 TRAINING AND DEVELOPMENT

WSA supports the continuing professional development of its employees and encourages employees to request to attend job-related workshops, seminars, and conferences. Such requests are subject to the approval of WSA, based on such factors as workload requirements, schedules, and budgetary resources. Departments may provide employees with a written training program annually.

Employees are expected to share relevant information upon return from seminars or conferences.

#### 4.2.1 Process:

- Approval should be sought from the employee's Director.
- If the program/seminar is to be held outside the Alamo region, provide the Director with supporting information such as the training/conference agenda, meeting logistics, and any special travel needs.
- The employee then should prepare and submit the Travel Authorization Form to the Fiscal Department for the CEO's approval. When approved, the Fiscal Department arranges for payment of fees and notifies the employee of the per diem rates for the area.
- The employee will arrange for lodging and transportation.

- 4.2.2 Learning Management System (LMS):** WSA provides an LMS with a myriad of learning paths and standalone courses. Employees may pursue any course of interest and may also periodically be assigned learning paths and courses by department leadership and/or by the CEO or others.

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### 4.3 PAID TIME OFF ("PTO")

WSA provides PTO to eligible full-time employees. PTO may be used for any reason, including vacation, appointments, personal time, or sick leave. Employees are encouraged to use PTO for planned rest and recreation and are expected to monitor PTO to be maintained for other uses.

**4.3.1 Accrual:** Eligible employees will accrue PTO hours with each pay period from the date of hire and be eligible to use PTO hours after the successful completion of the 90-day introductory period. The PTO accrual year runs from October 1 to September 30 of each year.

**4.3.2 Eligibility and Accrual Rates:** All full-time employees earn PTO hours each pay period based on years of service and the number of regular hours worked in a pay period.

MONTHS OF SERVICE	DAYS (Exempt) / HOURS (Non-exempt) ACCRUED PER EMPLOYMENT YEAR	BIWEEKLY ACCRUAL RATE
0-24 (before 2 <sup>nd</sup> anniversary)	18/144	5.54 hours
25-48 (before 4 <sup>th</sup> anniversary)	24/192	7.39 hours
49-108 (between 4 <sup>th</sup> and 9 <sup>th</sup> anniversary)	28/224	8.62 hours
109+ (after 9 <sup>th</sup> anniversary)	31/248	9.54 hours

Accrual example: 24 days x 8 hours = 192 divided by 26 pay periods = 7.39 hours

PTO accrued in one PTO accrual year may be carried over into the next fiscal year up to a maximum of one-and-a-half year's total PTO for each respective employee. Prior written approval from the CEO is required in order to carry over more than one and half-year's PTO accrual. PTO in excess of one-and-a-half year will be forfeited. Employees are responsible for ensuring that they use PTO to avoid forfeiting PTO at year's end.

**4.3.3 Non-Accrual:** PTO does not accrue during holidays, unpaid leave, and other leave and does not count as hours worked for calculating overtime. Overtime hours worked are not subject to PTO accrual.

**4.3.4 Use During First 90 Days:** For personal illness only or to care for a dependent family member (a family member who lives in the employee's home and is a dependent for income tax purposes), employees may be permitted to use PTO time as it accrues during the first 90 days of employment. For each occurrence of absence during the first 90 days of employment, documentation from a licensed medical provider is required when using PTO for personal illness or to care for a family member.

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**4.3.5 Approval Required:** PTO must be scheduled in advance and approved by the employee's direct supervisor, except in cases of illness or emergency. Employees must submit a Leave Request for Time Off to Human Resources, including a description of the time off, dates, type of leave (PTO), time requested (full, multiple, or partial day), and number of hours. Questions about PTO should be referred to the Fiscal Department or to Human Resources.

**4.3.6 Using PTO Benefits:**

PTO is available in increments of an hour.

Employees must submit requests for PTO from a direct supervisor as far in advance as possible. WSA generally will grant requests for PTO when possible, taking staffing and business needs into consideration.

PTO must be requested and authorized at least two weeks in advance, except in cases of illness, injury, or unanticipated emergencies.

**4.3.7 PTO Blackout Dates:**

Consecutive PTO is not available from mid-September through the end of October and at times designated by the CEO.

**4.3.8 Questions:** Employees with questions about submitting PTO requests may seek assistance from the Payroll Administrator. Supervisors will respond to PTO requests promptly and will grant PTO when possible, taking staffing needs of the department into consideration. When multiple employees request the same time off, their length of employment and seniority will determine priority in scheduling PTO.

**4.3.9 Recording PTO:** Employees are required to record their own time used for PTO.

**4.3.10 Exempt Employees:** Exempt employees must request and record time away from work for PTO. These requests should be occasional, preapproved by the employee's Director, and should not occur weekly or on a regular basis. Deductions from an exempt employee's salary may be made for one or more full days for illness/disability when the employee has exhausted PTO but may not be made for partial days when PTO is exhausted.

**4.3.11 Planned Absences:** A planned absence is an absence from work that is requested and authorized at least two weeks in advance.

Employees are responsible for anticipating the amount of PTO that may be needed to cover future absences for vacation, sick time, and personal and family matters. Employees are encouraged to use PTO for planned rest and recreation. WSA believes that planned, regular breaks in the work routine promote wellness and contribute to optimum performance on the job.

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- 4.3.12 Unplanned Absences:** An unplanned absence is an absence from work that was not requested at least two weeks in advance but is authorized due to an illness, injury or other emergency that prevents the employee from working. In case of unplanned absences, employees are required to call their supervisors and Human Resources at the earliest opportunity and no later than one hour after the employee's normal reporting time.

An occurrence of unplanned absence is a period of one or more consecutive days of absence, regardless of the total length of the absence.

Unplanned absences compromise the quality of WSA operations, services, costs, and morale. An excessive number of unplanned PTO days are cause for progressive disciplinary action up to and including termination. Supervisors may request medical provider documentation for any medical use of PTO when such absences are frequent.

Regardless of the reason, should an employee's unscheduled absences occur with such frequency to adversely affect operations and prevent the employee from meeting their employment obligations, WSA may take disciplinary action up to and including termination.

- 4.3.13 Medical Leave:** Employees who are absent for medical reasons, for a period in excess of three days must provide physician documentation of visit upon return to work.

A medical leave of absence is a period of greater than five working days in succession, as documented by a licensed healthcare provider. An employee may remain on active employment status for up to six months while on such a leave. However, the employee must plan for the payment of all required premiums, employee and WSA contributions, should PTO accrual be exhausted during the medical leave.

In the event of illness or emergency that prevents the employee from reporting to work for periods exceeding one day, the employee must contact their supervisor, or HR, if the supervisor is not available, each subsequent day, no later than an hour after the start of the scheduled shift. Staff who do not adhere to this policy or who are directed to report to work and fail to do so will not be paid and may be subject to disciplinary action up to and including termination.

- 4.3.14 PTO Sell-Back:** Employees may elect to sell back a portion of eligible accrued unused PTO one time each fiscal year (October 1 through September 30). Subject to maintaining

Months of Service	Days Accrued Per Employment Year	Biweekly Accrual Rate	Hours Accrued per fiscal year	Max Hours Available to sell Back per fiscal year 50%	Hours That Must Remain At Time Of Sell Back 25%
0 – 24/(before 2 <sup>nd</sup> anniv)	18 days	5.54 hours	144	40	36
25 – 48/(before 4 <sup>th</sup> anniv)	24 days	7.39 hours	192	40	48
49 – 108/(between 4 <sup>th</sup> & 9 <sup>th</sup> anniv)	28 days	8.62 hours	224	60	56
109+ (after 9 <sup>th</sup> anniv)	31 days	9.54 hours	248	80	62

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a certain amount of PTO, employees may convert between 40-80 hours each fiscal year to cash, less taxes and 401(k) contributions. These sell-back hours will be cashed in at 100 percent of the employee's regular rate of pay. To calculate eligible PTO balance for sell-back, consult the schedule below.

- 4.3.15 PTO Payout at Separation:** Employees in good standing who have retired or resigned their employment after successfully completing their initial 90-day introductory period, after giving at least two weeks' written notice for staff and four weeks' written notice for all levels of management, will be paid for any accrued unused PTO at the employee's regular rate of pay. To ensure a smooth transition, employees may not use PTO during the notice period.

An employee's estate will be paid final wages and accrued unused PTO at the employee's regular rate of pay when an employee dies while an active employee with the Agency.

Employees who are terminated forfeit accrued unused PTO.

## 4.4 LEAVE SHARING FOR MEDICAL EMERGENCIES

WSA has established leave sharing for medical expenses to provide employees who have exhausted all other accrued paid leave the ability to remain in paid status for the employee's or a family member's catastrophic illness or injury.

### 4.4.1 Definitions:

- **Immediate Family Member:** individuals who live in the same household as the employee and are related by kinship, adoption, or marriage; or are foster children certified by Applicable Law. If not in the same household, immediate family is strictly limited to the employee's spouse, child, or parent.
- **Licensed Physician:** a relevant licensed physician.
- **Catastrophic Illness or Injury:** a condition or combination of conditions affecting the mental or physical health of the employee or member of the employee's immediate family that requires the services of a licensed practitioner for a prolonged period and that forces the employee to exhaust all leave time earned.
- **Condition or Combination of Conditions:** an illness or injury that may result in death if not treated; requires hospitalization for more than 72 consecutive hours; requires prolonged convalescence at home or a rehabilitation facility; or causes a person to be legally declared a danger to him/herself or others. For purposes of this policy, pregnancy and elective surgery are not considered severe conditions, except when life-threatening complications arise from them.

**4.4.2 Eligibility:** To be eligible to receive donated PTO, an employee must meet the following criteria:

- Completed at least one year of continuous, satisfactory employment.

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- Is not on any type of disciplinary action at the time of application or at any time during the preceding six months.
  - Has exhausted all available PTO time.
  - The employee's condition is not an on-the-job injury covered by Workers' Compensation Insurance.
  - The employee is not on short-term or long-term disability.
  - The employee or employee's immediate family member has a severe condition or combination of conditions requiring the services of a licensed practitioner. The employee must provide certification of the condition by a licensed practitioner.
- 
- A deceased employee's estate is not entitled to payment for any unused Emergency Leave Pool time credited to the employee.

**4.4.3 Application and Award Process:** The employee or the employee's personal representative may request an award of donated PTO by submitting a completed application to Human Resources. The application should be submitted as soon as possible after the need arises. Employees who have exhausted all accrued paid leave will be placed on leave without pay status pending a decision of their application for donated PTO.

**4.4.4 Decisions:** Decisions regarding granting donated PTO is at the sole discretion of the Agency. If an employee has been placed on leave without pay status pending a decision on the application, the employee's status will become "pay with leave" and donated PTO applied retroactively if the application is approved.

**4.4.5 Award Limit:** The amount of time approved for an award may not exceed the maximum of 240 hours per calendar year. WSA reserves the right to alter the maximum award based on circumstances at the sole discretion of the CEO. The availability of donated PTO is subject to the number of hours available in the Pool, number of competing applications, and other factors as determined by WSA.

**4.4.6 Use and Modification of Donated PTO:** Donated PTO may be used only for the reason requested. Employees must immediately notify Human Resources if there is a change that modifies the need for donated PTO. Awarded donated PTO that are no longer in conformance with the employee's application may be cancelled and returned to the Pool.

**4.4.7 Return to Work Certification:** Prior to returning to work, the employee must submit a written statement to Human Resources from the employee's licensed practitioner that the employee is able to return to work. The statement must also specify what, if any, limitations or restrictions exist on the employee's ability to perform job duties.

#### **4.4.8 Contributions by Donors to Donated PTO**

- Employees are not required to contribute to donated PTO.
- Employees may make voluntary contributions of PTO hours by submitting a Leave Pool Transfer Form to Human Resources.

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- Employees may contribute an unlimited number of hours so long as the employee's balance of accrued unused PTO does not drop below 80 hours.
- Once a contribution is made to the Emergency Leave Pool, the donor may not request a return of the hours donated.

### 4.5 PERSONAL DAY

Eligible full and part-time employees will receive a day off with pay in celebration of the employee's birthday. If the birthday falls on a day other than on a scheduled workday or if the employee desires a different day off, the employee may arrange a different day off. The birthday/alternate day must be approved at least 24 hours in advance by a direct supervisor and entered into the electronic time and attendance system.

### 4.6 HOLIDAY OBSERVANCES

WSA provides paid holidays to all employees and part-time employees. Holidays are designated by the CEO and will be announced at the beginning of each calendar year. Typical holidays observed each year are as follows:

NEW YEAR'S DAY	LABOR DAY
MARTIN LUTHER KING, JR. DAY	COLUMBUS DAY
PRESIDENT'S DAY	VETERANS DAY
BATTLE OF FLOWERS	THANKSGIVING DAY
MEMORIAL DAY	THANKSGIVING HOLIDAY
INDEPENDENCE DAY	CHRISTMAS DAY
	CHRISTMAS HOLIDAY

Holidays falling on a Saturday are normally observed on the preceding Friday. Holidays falling on a Sunday are normally observed on the following Monday.

If an employee is required to work on a holiday, the employee may choose another day off before the end of the current month.

### 4.7 TUITION REIMBURSEMENT PROGRAM

WSA encourages eligible full-time employees, who have successfully completed the 90-day introductory period, to further their education and professional development. Education expenses are not taxable as income to the employee if the courses taken maintain or improve skills required for the employee's present job.

- 4.7.1 Amount of Reimbursement:** WSA will assist by providing employees approved for inclusion in the program, a maximum reimbursement benefit of \$2,000 per calendar year. Employees may use this reimbursement benefit to defray the cost of pre-approved

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courses taken at accredited colleges, universities or recognized technical schools, and related college fees. Textbooks and materials are not covered under this policy.

**4.7.2 Courses:** Courses must be related to the employee's present job, a position the employee could reasonably progress to, or those that are determined to benefit WSA.

**4.7.3 Conditions for Participation:**

- Courses must be reviewed for eligibility by Human Resources and approved by the CEO.
- Courses taken must not interfere with operational needs of WSA and reimbursement is limited to a maximum of six hours per semester or 18 hours per calendar year.
- This program does not cover College Level Examination Program ("CLEP") examinations nor courses taken for audit.
- Courses that may be required leading to a certification or licensure related to the employees' current job.

**4.7.4 Limitations:** WSA will reimburse only the cost of semester-hour tuition and fees up to \$2,000.00 charged by the institution of higher learning for the semester expenses incurred. Employees are responsible for the remainder of the cost. WSA educational assistance will be secondary to other sources of financial assistance such as a GI Bill, scholarships, or Pell grants. Reimbursement may or may not be taxable depending upon tax laws in effect. Employees are responsible for the tax consequences of tuition reimbursement.

**4.7.5 Grade Requirements:** WSA will reimburse costs as follows:

100%	=	Grade A
75%	=	Grade B
50%	=	Grade C

For courses that are not graded (i.e. Pass/Fail), proof of course completion, by certificate or license, must be provided for reimbursement to be paid.

**4.7.6 Approved Expenses:** WSA employees may use this benefit to pay for mandatory fees incurred by the student such as exam, registration, lab, general, library use, insurance, graduation, parking.

**4.7.7 Work Commitment:** Participating employees will incur a one-year (12-month) retention commitment based on the last date of the reimbursement payment. If the employee voluntarily leaves WSA within 12 months of receiving reimbursement, a pro-rata (by month) of the cost will be deducted from final payment of salary, wages, and unused PTO, not to take the employee's wage below minimum wage.

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*Example: If the employee is reimbursed in December and terminates employment during the following March, the employee will be responsible for reimbursing 9/12s of the total reimbursement for the prior twelve months.*

If the employee is involuntarily terminated due to department realignment or organization, the WSA share of the cost for tuition reimbursement will not be deducted from the final paycheck.

**4.7.8 Eligible Schools:** Courses must be taken in a bona fide educational institution.

**4.7.9 Requests for Reimbursement:** After completion of the course the employee will bring a verifiable copy of course completion and grade(s) to Human Resources, who will then send the complete education assistance package to Fiscal Department for reimbursement.

Requests for reimbursement will not be honored after the course is completed if an application was not pre-approved or if the employee terminates employment prior to course completion.

Requests for graduate program consideration must be reviewed by the CEO for approval.

## 4.8 EMPLOYEE ASSISTANCE PROGRAM ("EAP")

WSA recognizes that certain issues may arise that could adversely affect an employee's health, safety, or job performance. To support employee well-being and resiliency, WSA offers an Employee Assistance Program ("EAP") at no cost that provides counseling and referral services to assist employees and their family members in addressing a variety of issues, including for example emotional well-being. Human Resources will provide the contact information an employee will need to access the services.

**4.8.1 Eligibility:** EAP services are available to employees on the first of the month following 90 days of employment. Employees and members of their immediate households may voluntarily use this program. Managers or supervisors may require employees to consult the program under some circumstances.

**4.8.2 Confidentiality:** An employee's use of EAP will remain confidential. Information under this program will not be shared with other individuals without a participant's informed and voluntary written consent.

**4.8.3 Effect on Disciplinary Action:** The employee's decision to seek such assistance will not be considered as a factor in disciplinary action, nor will it be used against the employee in any disciplinary proceeding. However, participation in such programs will not protect the employee from discipline for violation of WSA policies.

## SECTION V – SAFETY AND SECURITY

### 5.1 SAFETY

WSA complies with all applicable federal, state, and local health and safety regulations and is committed to maintaining a safe work environment. Employees are expected to comply with all safety and health requirements whether established by WSA or by federal, state, or local law.

**5.1.1 Scope:** This policy is applicable any time employees are on the premises, engaged in work or conducting business on behalf of WSA, and when participating in sanctioned events during business hours, on or off site. WSA encourages its employees to bring any concerns or suggestions for improved safety in the workplace to a supervisor or Human Resources. In addition, employees must keep work areas organized and free of any potential hazards. Employees who fail to follow WSA's safety rules and guidelines or fail to report hazardous or dangerous conditions will be subject to disciplinary action, up to and including termination of employment.

**5.1.2 Signing In:** In order to account for all employees in the event of an emergency, all employees must sign out at the front desk when leaving the premises on Agency business.

**5.1.3 Safety Rules:** WSA safety rules include, but are not limited to, the following:

- Do not engage in horseplay.
- Do not engage in any physical or verbal acts and/or threats of violence, whether made in jest or seriously, by any person(s) while on Agency premises or while conducting business on behalf of WSA.
- Do not use equipment unless trained and authorized.
- Keep passageways to fire extinguishers, aisles, and doorways clear.
- Know where fire extinguishers are located.
- Use proper lifting techniques.
- Store flammable and hazardous waste materials in proper containers.
- Turn off equipment not in use.
- Know first aid kit locations and how to use them.
- Report unsafe conditions to a supervisor immediately.
- Know the most direct and safe exit route in case of fire.

The above list of rules is not exhaustive but highlights practices that employees are expected to follow.

**5.1.4 Reporting Required:** Any injuries must be reported to Human Resources immediately.

Employees who witness any unsafe conditions, potential hazards, or accidents, no matter how minor, must report to a supervisor or Human Resources immediately. For more information about the reporting procedure employees must follow, and other safety

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requirements see WSA's Safety Program manual, and the Violence in the Workplace, Section 5.2.

### 5.2 VIOLENCE IN THE WORKPLACE

WSA seeks to provide a safe, respectful, and productive work environment. To this end, WSA will not tolerate any form of violence including threats by an employee, supervisor, contractors, or third party, including vendors, clients, and visitors both at the workplace, while engaged in work for the Agency on or off premises, and at Agency-sponsored events.

Each department supervisor, manager, and employee is responsible for keeping the workplace free of harassment, intimidation, and/or violence.

**5.2.1 Definition of Workplace Violence:** For purposes of this policy, workplace violence includes but is not limited to threatening written or verbal remarks; aggressive or hostile acts such as shouting, using profanity, throwing objects at another person, fighting, or intentionally damaging Agency or another person's property; bullying, intimidating, or harassing another person; behavior that causes another person emotional distress or creates a reasonable fear of injury, such as stalking; assault; or behavior, words, or other conduct that is self-destructive or potentially harmful to the employee. Threatening behavior includes physical actions without physical contact or injury, and general or implied threats to people or property. Violent behavior includes any physical assault with or without weapons, throwing objects, destroying property, specific or expressed threats to inflict harm to people or destruction of property, and other conduct which appears to pose a threat of injury to persons or property.

This list is illustrative only and not exhaustive. No form of workplace violence will be tolerated.

**5.2.2 Requirement to Report:** Any employee who experiences, observes, or has knowledge of actual or threatened workplace must report the situation to a member of management or to Human Resources as soon as possible. Reports of workplace violence will be investigated promptly and will be kept confidential to the extent possible.

**5.2.3 No Retaliation:** WSA prohibits any form of retaliation against employees for making bona fide reports of workplace violence, pursuing a workplace violence complaint, or cooperating in related investigations.

**5.2.4 Employee Assistance Plan:** Employees who are victims or potential victims of domestic or non-work-related violence and fear it may enter the workplace, are encouraged to promptly notify Human Resources and may also contact WSA's Employee Assistance Plan ("EAP") to obtain advice in dealing with the situation.

**5.2.5 Disciplinary Action:** Violations of this policy will lead to corrective action, up to and including termination of employment. WSA reserves the right to contact law enforcement, if appropriate.

### **5.3 WEAPONS POLICY**

WSA prohibits all employees from possessing weapons of any kind on Agency premises, while working or traveling to and from work-related locations, and at Agency-sponsored events. The only exception to this prohibition of weapons is that employees may store or transport legally owned firearms or ammunition that are lawfully possessed and locked in the employee's own private vehicle in Agency parking areas.

Refusal to cooperate in a search, inspection, or investigation may result in disciplinary action up to and including termination.

### **5.4 SECURITY OF PERSONAL PROPERTY**

WSA assigns desks and work areas to its employees and maintains the right to examine the contents of desks and offices at any time, without notice. Employees do not have a right of privacy in items brought on premises except in places where employees have a reasonable expectation of privacy, such as bathrooms. For security reasons, personal effects should not be left unattended or stored in WSA offices.

WSA assumes no responsibility or liability for the damage, loss, or theft of personal property.

## SECTION VI - LEAVES OF ABSENCE

### 6.1 BEREAVEMENT LEAVE

Full-time employees are provided paid leave for death of an immediate family member or a miscarriage/stillbirth. For the purposes of this policy the immediate family includes the employee's spouse; domestic partner; parent; son or daughter; brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; cousin; guardian or ward; and step, half, or in-law relation.

- 6.1.1 Available Paid Leave:** Employees receive up to three days for the death of immediate family up to 100 miles from Bexar County and five days for the death of immediate family more than 100 miles from Bexar County. Employees may qualify for one paid day of leave for the death of a family member who is not an immediate family above.
- 6.1.2 Verification of Death:** The Agency may require verification of death, including for example a death certificate or obituary.
- 6.1.3 Use of Accrued PTO:** Employees may use accrued unused PTO for additional time off if desired.
- 6.1.4 Requests for Bereavement Leave:** An employee must inform the employee's director before commencing bereavement leave. Requests for bereavement leave should be submitted through the timesheet platform and Human Resources.

### 6.2 MILITARY LEAVE

WSA provides employees (including those in their introductory period) military leaves of absence for service in a *uniformed service*, in compliance with the Uniformed Services Employment and Reemployment Rights Act ("USERRA") and applicable Texas law.

- 6.2.1 Notice Required:** To be granted military leave, an employee should provide advance notice to a direct supervisor or Human Resources. When possible, the employee should give at least 30 days' notice of a request for leave. If 30 days' notice is not possible because of military necessity or for other reasons, the employee should give as much advance notice to WSA as possible.

Written notice is preferred, but not required. Where possible, please submit a copy of military orders, training notice, or order to active duty to a direct supervisor or the human resources administrator.

- 6.2.2 Pay During Leave:** Employees also may use any or all accrued but unused PTO during military service leave.

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In no case will the use of PTO result in an employee's receipt of more than 100 percent of salary.

- 6.2.3 Benefits During Leave:** During military service leave, all benefits provided under an employee benefit plan are governed by the terms and conditions of the applicable employee benefit plan documents in accordance with applicable law. All other benefits are the same as for other leaves of absence.
- 6.2.4 Reemployment:** Employees may be eligible for reemployment after their military service leave. Nothing in this policy requires WSA to reemploy individuals who are not eligible for reemployment rights under applicable law. For information on reemployment guidelines, contact Human Resources.
- 6.2.5 No Discrimination:** WSA prohibits and will not tolerate discrimination or retaliation against any employee or applicant because of that person's membership in or obligation to perform service for any branch of the US or state military. Specifically, no one will be denied employment, reemployment, promotion, or any other benefit of employment, or be subjected to any adverse employment action based on that person's membership in or service for any branch of the US or state military. In addition, no one will be disciplined, intimidated, or otherwise retaliated against because that person exercised rights under this policy or applicable law.

## 6.3 JURY DUTY

WSA grants leave without pay for the entire period that an employee serves jury duty. Employees may use Paid Time Off for Jury Duty.

- 6.3.1 Proof of Service:** Employees must notify a direct supervisor or manager immediately and submit a copy of the jury summons or subpoena as soon as possible but at least three days prior to the date of appearance so arrangements may be made to accommodate the employee's absence. Employees may be asked to provide proof of service of jury duty.
- 6.3.2 Jury Fees:** If an employee receives fees when called for jury duty, the employee is authorized to retain such fees to help defray daily expenses.
- 6.3.3 Report to Work:** Employees are expected to notify their supervisors of the end of the court commitment if it falls within the workday, so that the supervisor may determine if the employee should return to work for the remainder of the day.
- 6.3.4 Not Time Worked/Non-Accrual:** Paid Time Off will not accrue during absences for Jury Duty.

#### 6.4 ADMINISTRATIVE LEAVE

The CEO may allow Administrative Leave with or without pay for situations such as:

- Inclement weather or local emergencies. See Inclement Weather and Emergencies, Section 7.4.
- Early dismissal.
- Situations for which the CEO feels appropriate in the conduct of Agency business.

Administrative Leave is not time worked for purposes of calculating overtime for non-exempt employees.

#### 6.5 UNPAID LEAVE OF ABSENCE ("LOA")

WSA provides unpaid Leave of Absence to eligible and approved full-time and part-time employees. The granting of LOA is at the sole discretion of the Agency.

**6.5.1 Eligibility:** Employees are eligible after being employed continuously for 12 months or more and have provided at least 1,250 hours of service during the previous 12 months. LOA is for a minimum of five consecutive workdays, and a maximum of 12 weeks in any 12-month rolling period.

**6.5.2 No Accrual:** Paid Time Off will not accrue during LOA.

**6.5.3 Availability:** Unpaid LOA is available under the following conditions:

- "Family Leave" will be granted under this policy to eligible employees for the birth of an employee's child, placement of a child with the employee for adoption or foster care.
- "Medical Leave" will be granted to eligible employees to care for the employee's child, spouse, or parent who has a serious health condition or when the employee must be absent due to the employee's serious health condition. A medical leave of absence must be documented by a licensed healthcare provider. An employee may remain on active employment status for up to six months while on such a leave. Employees are required to provide documentation from a relevant health care provider ordering leave for a medical condition. To be released to full duty after Medical Leave, the employee must submit a relevant healthcare provider's release, certifying the employee's ability to perform the essential functions of the job, with or without reasonable accommodation.
- "Personal Leave" may be granted for reasons other than those listed above.

**6.5.4 Amount of Leave:** An eligible employee may be granted leave up to 12 work weeks (480 hours) during any 12-month period, counted from the first day LOA is taken. The next

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12- month period and its 12-week (480 hour) eligibility begins with the first day of a subsequent LOA.

### 6.5.5 General Rules:

- PTO will run concurrently with unpaid LOA.
- WSA may fill the empty position during the employee's absence. Upon return from LOA, if the employee's position is no longer available, WSA will attempt but is not required to find an equivalent job for the employee.
- Any request for LOA must be submitted seven days in advance to Human Resources, if practicable.
- Employees are required to report every 30 calendar days to Human Resources on their leave status and intent to return to work.
- Employees are responsible for paying all benefit plan premiums (employee and employer contributions) and will coordinate continuation of all insurance coverage with Human Resources and the Fiscal Department. Failure to pay premiums will result in a loss of benefit coverage or repayment of the amount due.

Employees requesting LOA must contact Human Resources for further information.

## 6.6 VOTING LEAVE

WSA encourages employees to fulfill civic responsibilities by exercising the privilege of voting. Employees are encouraged to vote either before or after regular work hours during early or regular voting periods.

If an employee is unable to vote during non-work hours because of work schedule, WSA will excuse employees for up to two hours, to vote in an election.

Employees must request time off to vote at least two working days before voting in order to give the manager time to adjust the department workload if needed.

WSA expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting or taking Voting Leave.

## 6.7 EMERGENCY EVACUATION LEAVE

Employees are allowed to participate in general public evacuations in response to Emergency Evacuation Orders without retaliation or discrimination. "Emergency Evacuation Order" means an official statement issued by the governing body of this state or a political subdivision of this state recommending the evacuation of all or part of the population of an area stricken or threatened with a disaster.

## SECTION VII - GENERAL WORK RULES

### 7.1 WORK HOURS

WSA determines employees' working hours as required by the needs of business operations.

- 7.1.1 Workweek:** WSA's workweek begins on Saturday at midnight and ends on Friday at 11:59 p.m.
- 7.1.2 Business Hours:** Normal business hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Full-time employees are expected to work normal business hours each workday, five days each workweek, during normal business hours.
- 7.1.3 Changes to Work Hours:** Although every attempt will be made to adhere to these business hours, the nature of Agency business may necessitate changes to the hours worked. If changes are necessary, WSA will attempt to give as much notice as the circumstances permit. Employee flexibility and adaptability with respect to changes in assigned work hours are deemed crucial requirements of every employee's job.

Exempt employees, whose salaries take into account work outside of regularly scheduled work hours, may be required to work additional hours including weekends.

- 7.1.4 Overtime:** Non-exempt employees may be required to work overtime hours from time to time depending on various factors, such as workloads, staffing needs, and special projects. Examples include but are not limited to working overnight to deploy software or on a Saturday for a WSA-sanctioned event. Non-exempt employees may not work overtime without the prior approval of their manager.

Paid time away from the workplace to participate in workshops, panels, staff development activities, or conferences, or to provide testimony on behalf of the Agency is considered time worked in calculating overtime for non-exempt employees.

### 7.2 LUNCH PERIODS AND BREAKS

Except for lactation breaks, work breaks including lunch periods are subject to the type and timing of the duties being performed and subject to being rescheduled by an employee's supervisor with little or no notice.

- 7.2.1 Breaks for Non-Exempt Employees:** In general, non-exempt employees are allowed a break in the morning and a break in the afternoon to be determined by a direct supervisor. Authorized breaks may last no longer than fifteen minutes. Any extension of a break without prior manager approval is against Agency policy and will be subject to discipline up to and including termination.

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- 7.2.2 Lunch Breaks for Non-Exempt Employees:** Non-exempt employee lunches are non-compensable and must be entered on the employee time sheet. If a non-exempt employee performs work during the lunch break, the employee is required to record the time as time worked.
- 7.2.3 Lunch Breaks:** Employees may not elect to use working during a lunch period as reason to leave in advance of their normally scheduled workday unless directed or approved in advance by their Director.
- 7.2.4 Lactation Breaks:** All employees who are nursing are eligible to take reasonable breaks to express breast milk for up to one year after the birth of the employee's child unless doing so would cause an undue hardship for WSA. WSA encourages all eligible employees who intend to take lactation breaks to notify Human Resources of their intent, for example when they are discussing their return to work following leave relating to childbirth. Eligible employees should notify their direct manager of the frequency, timing, and duration of lactation breaks they need to take. Please contact Human Resources for information about the designated location for lactation breaks.

Lactation breaks under this policy are unpaid. Non-exempt employees must accurately record the start and end of lactation breaks on their time sheets/clock in and out for their lactation breaks in accordance with WSA's timekeeping policy. Uninterrupted lactation breaks do not count as hours worked for purposes of calculating overtime.

Employees may begin work before the regularly scheduled start of their shift or continue working past the regularly scheduled end of their shift to make up any time used for lactation breaks. Employees who choose to do this should speak with their direct manager in advance to make appropriate arrangements.

## 7.3 ATTENDANCE AND TARDINESS

WSA requires employees to be punctual in working WSA's normal work hours. Employees must report to work as scheduled (start and end time) and maintain a satisfactory record of attendance.

- 7.3.1 Call-In Procedure:** If an employee will be late to work or absent for work as scheduled, the employee must speak directly to the employee's supervisor at least one hour in advance of the absent or tardy. Leaving a voicemail or message with anyone other than the employee's supervisor is not sufficient. The employee must speak with the supervisor about the absence or tardy.
- 7.3.2 Leaving Work:** Leaving work without proper notification is subject to disciplinary action, up to and including termination.
- 7.3.3 Use of PTO:** Employees are required to use their accrued PTO for absences, tardies, and leaving early, except for special leaves, such as administrative leave, bereavement, jury duty, etc. Managers are responsible for ensuring that short absences do not become repetitive in nature and disruptive to the work.

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- 7.3.4. Unexcused Absences:** PTO hours will not be granted for unexcused absences. An unexcused absence is an absence from work that is not authorized. Unexcused absences may be incurred if the employee fails to report to work for a scheduled shift, fails to report to work when time off has been requested but not authorized, or incurs an unplanned absence that is not a bona fide emergency.
- 7.3.5 Consequences of Excessive Absences:** Employees who miss work (“no call, no show”) without notice for two consecutive workdays are considered to have voluntarily resigned from employment. Employees who fail to return to work promptly from an approved PTO or leave of absence are considered to have voluntarily resigned from employment. Poor attendance, excessive tardiness, and leaving before scheduled hours have ended are disruptive. Either may lead to disciplinary action, up to and including termination of employment.
- 7.3.6 Exceptions:** Exceptions to this policy require approval by the CEO or the CEO’s designee.

### 7.4 INCLEMENT WEATHER AND EMERGENCIES

Because safety of WSA employees is of the utmost importance, WSA has developed contingencies in case of inclement weather or other emergencies.

- 7.4.1 CEO Authority:** The CEO has the authority to officially close the office and grant paid leave due to impending inclement weather or workplace, city, or national emergency.
- 7.4.2 Notification and Work from Home:** In the event that inclement weather or workplace, city, or national emergency arise during the workday creating safety concerns, employees will be notified and should work from home.
- If offices are closed before the start of the workday, efforts will be made to reach employees to notify them to work from home.
  - Employees must keep contact information up-to-date with their managers.
  - Employees who have not heard from WSA regarding whether they should report to work are encouraged to call their manager for the latest information.

### 7.5 DRESS CODE

While traditional business attire is standard for situations when dealing face to face with the public, WSA also allows business casual attire Monday through Friday, when appropriate. Employees are required to wear well-fitting, professional, clean, pressed attire. Decisions regarding proper attire are at the discretion of a direct supervisor or Human Resources.

- 7.5.1 Blue Jean Day:** Fridays (or the last workday proceeding a Friday holiday) will be a casual or blue jean day, if desired. Jeans must have a neat appearance, without frays, holes, stains, or tears. WSA-branded shirts should be worn with blue jeans. Clothing that would

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be worn at the gym, beach, picnic, or to clean the garage or do yard work is not appropriate.

**7.5.2 Shoes:** Shoes should be clean, well-maintained, in neutral colors such as white, black, or navy, and present a professional look. Examples of shoes that are not appropriate include but are not limited to: sports shoes such as high-top basketball shoes, Crocs, and flip-flops.

**7.5.3 Use of PTO to Change:** Employees required to leave the workplace to change into appropriate clothes will have the time deducted from PTO.

**7.5.4 Volunteer Days:** The CEO will determine the appropriate attire for Volunteer Days.

## 7.6 NON-SMOKING/NO-VAPING POLICY

WSA maintains a smoke-free, vape-free workplace. The Agency prohibits smoking and vaping in all indoor facilities, including WSA vehicles and all offsite WSA worksites and events, whether indoors or outdoors. Smoking, including use of smokeless tobacco products and vaping, is prohibited in WSA facilities. This policy applies to all employees, vendors, clients, and visitors.

For purposes of this policy, smoking includes lighting, smoking, or carrying a lighted cigarette, cigar, or pipe, the use of any electronic smoking device, and the use of tobacco. This list is illustrative only and not exhaustive.

Employees may smoke outside of WSA premises only off Agency time although employees may use Paid Time Off for smoking breaks. Please dispose of cigarettes and matches in a proper container.

## 7.7 DRUGS AND ALCOHOL

WSA is committed to providing a safe, healthy, and productive workplace that is free from alcohol and unlawful drugs as classified under local, state, or federal laws, including marijuana (except for limited medical use under the guidance of a healthcare provider). Alcohol and drug misuse poses serious health and safety risks to WSA and is not tolerated. Consistent with this commitment, the Agency is committed to the elimination of alcohol and drug misuse in the workplace in compliance with the Drug-Free Workplace Act.

**7.7.1 Assistance Available:** WSA will assist and support employees who voluntarily seek help for drug or alcohol addiction before becoming subject to discipline or termination under this or other WSA policies. Employees voluntarily seeking help under this policy will be allowed to use accrued unused paid time off, be placed on a leave of absence, referred to treatment providers, and otherwise accommodated as required by law.

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**7.7.2 Follow-up:** Employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if holding positions that are safety-sensitive or require driving, or if they have violated this policy previously.

**7.7.3 Voluntarily Seeking Help:** If a drug test has been initiated under this policy before an employee voluntarily seeks help for addiction, unless otherwise required by law, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and will face possible discipline, up to and including discharge.

**7.7.4 Fitness for Duty Required:** Employees must report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors regarding any medications' effect on fitness for duty and ability to work safely, and must promptly disclose any work restrictions to Human Resources.

**7.7.5 Workplace Rules:** Employees who are working, operating the WSA Vehicle, on WSA premises, or conducting Agency-related work offsite, are prohibited from:

- Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (to include possession of drug paraphernalia).
- Being under the influence of alcohol or an illegal drug as defined in this policy.
- Possessing or consuming alcohol.

The presence of any detectable amount of any illegal drug, illegal controlled substance, or alcohol in an employee's body system, while performing Agency business or while in a WSA facility, is prohibited.

Employees are not allowed to perform job duties while taking prescribed drugs that adversely affect the ability to perform job duties safely and effectively. Employees taking a prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.

**7.7.6 Notification to Law Enforcement:** Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

**7.7.7 Drug and Alcohol Testing:** Job applicants and current employees may be requested or required to submit to drug and alcohol testing.

- **Pre-Employment Testing:** All job applicants receiving an offer of employment are subject to drug and alcohol testing. All offers of employment with WSA are conditioned on the applicant submitting to and successfully completing and passing a drug and alcohol test as described in this policy. Refusal to submit to testing will result in disqualification of further employment consideration.
- **Reasonable Suspicion:** Employees are subject to testing based on, but not limited to, observations of apparent workplace use, possession, or impairment by at least two

members of management. Human Resources will be consulted before sending an employee for testing. Members of management must document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol, including for example: odors (smell of alcohol, body odor, or urine), movements (unsteady, fidgety, dizzy), eyes (dilated, constricted or watery eyes, or involuntary eye movements), face (flushed, sweating, confused, or blank look), speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts), emotions (argumentative, agitated, irritable, drowsy), actions (yawning, twitching), and/or inactions (sleeping, unconscious, no reaction to questions).

- When reasonable suspicion testing is warranted, both management and Human Resources will meet with the employee to explain the observations and will be required to undergo a drug and/or alcohol test within two hours. Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.
- Under no circumstances will the employee be allowed to drive to the testing facility. Human Resources or a member of management will arrange for transportation.
- **Post-Accident Testing:** Employees are subject to testing when they cause or contribute to accidents that seriously damage WSA property, including but not limited to any work-related accident or injury when an employee is operating a motorized vehicle, or that result in an injury to themselves or anyone else that requires offsite medical attention. Testing by the Agency must occur within two hours or sooner. Refusal by an employee will be treated as a positive test result and will result in immediate termination of employment.
  - Under no circumstances will the employee be allowed to drive to the testing facility. Human Resources or a member of management will arrange for transportation.
- **Random Testing:** The Agency reserves the right to conduct random drug testing.

**7.7.8 Testing Procedures:** All drug and alcohol testing under this policy will be conducted by an independent WSA-designated state-licensed testing facility that will use federally approved alcohol testing procedures. The individual will be asked to provide written consent prior to testing. Refusal to submit to drug testing will result in immediate termination of employment.

- Any employee who is seriously injured and cannot provide a specimen at the time of an accident must provide the necessary authorization for obtaining hospital records and other documents that would indicate whether there were controlled substances in the employee's system. Failure to provide the necessary authorization may result in discipline, up to and including termination.
- WSA will pay the full cost of the test under this policy.

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- Employees will be paid the employee's regular rate of pay for time spent in alcohol or drug testing. Employees suspected of working while under the influence of illegal drugs or alcohol will be suspended without pay until the Agency receives the test results and any other information the Agency may require in order to make an appropriate determination. A date and time will be scheduled to discuss the results of the test with a member of management and Human Resources. Should the results prove to be negative, the employee will receive back pay for the times/days of suspension.
- Individuals receiving positive results will be given a reasonable opportunity to rebut or explain the results and may request to have a split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's own expense. Such requests must be made within 72 hours of notice of test results.

### 7.7.9 Consequences:

- Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense alcohol or an illegal drug in violation of this policy will be terminated.
- Employees testing positive will be subject to discipline, up to and including immediate termination of employment.
- Depending on the circumstances, including the employee's work history/record, and any state law requirements, the Agency may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms. The Agency may institute follow-up drug testing at times and frequencies determined by the Agency for a minimum of one year but not more than two years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be immediately terminated.
- Employees who refuse to submit to required testing will be subject to discipline, up to and including immediate termination of employment.

**7.7.10 Confidentiality:** Information and records relating to positive tests results, drug and alcohol dependencies, and medical examinations will be kept confidential to the extent required by law and maintained in secure files separate from personnel files. Such records and information may be disclosed among members of management on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim, or other legal proceeding initiated by or on behalf of an employee or applicant. Law enforcement may be notified if criminal activity is suspected.

**7.7.11 Inspections:** WSA reserves the right to inspect all premises for substances or materials in violation of this policy. All employees, contractors, and visitors may be asked to cooperate in inspections of their persons, work areas, and property (including, but not limited to clothing, desks, file drawers, bookcases, lunch boxes, bags, and vehicles). Employees have no expectation of privacy while on WSA premises, except in restrooms or other such locations with an expectation of privacy. Employees who possess anything

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in violation of this policy or who refuse to cooperate in an inspection are subject to discipline, up to and including termination.

- 7.7.12 Crimes Involving Drugs:** WSA does not desire to intrude into the private lives of employees but since employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace, the Agency reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off Agency premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving illegal drugs must report the conviction, plea, or sentence to Human Resources within five days. Failure to comply will result in automatic termination. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with WSA.

## 7.8 POLITICAL ACTIVITIES

Employees engaging in political activities agree to do so solely on their own behalf and not on WSA's behalf or time, or with the use of any of Agency's funds, assets, or other company resources. Employees may not use any of the Agency's funds, assets, or other Agency resources to directly or indirectly support political candidates, parties, lobbyists, political action committees ("PACs"), or 527 organizations.

- 7.8.1 No Use of Agency Resources:** Employees may make personal political contributions and participate in political activities of their own choosing during non-work hours, provided that such contributions and activities only occur in an individual and private capacity and not on WSA's behalf or time, or while using any other Agency resources. WSA will not reimburse any employee in any way for time or funds used for personal political contributions or activities.

Employees may not represent WSA on policy issues except when it is part of their jobs to do so. Accordingly, if an employee personally participates in the political process, that employee may not implicitly or explicitly suggest or give the appearance in any way that the employee's personal view or position is one that is held or supported by the Agency including but not limited to:

- Using WSA's stationery, email, telephones, computers, printers, or copiers in connection with an employee's personal political activities.
- Providing political candidates or organizations with access to WSA's mailing lists, customer lists, employee lists, office space, telephones, computers, printers, copiers, or other Agency resources.
- Posting a hyperlink to a political candidate's or an organization's website, social media, or email account on a website, social media, or email account owned or operated by the Agency.

Employees may not allow the employee's employment by WSA to be used in support of or against any political candidate, issue, or cause.

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**7.8.2 No Impact on Employment Decisions:** An employee's personal, lawful political contributions, and decisions not to make political contributions will not influence an employee's compensation, job security, or opportunities for advancement at WSA.

### 7.9 SOCIAL MEDIA AND BLOGGING POLICY

In general, WSA views websites, blogs, and other information published on mediums accessible by the public by its employees positively, and it respects the right of employees to use them as a medium of self-expression. All WSA equipment, including computers and electronic systems, is subject to this policy.

**7.9.1 Guidelines:** If employees choose to identify themselves as a WSA employee or to discuss matters related to WSA, they should bear in mind that although the information they publish will generally be viewed as a medium of personal expression, some readers may nonetheless view the employee as a spokesperson for the WSA. In light of this possibility the following guidelines must be followed:

- Comply with WSA's policies when engaging in online activity, including but not limited to WSA's anti-harassment and anti-discrimination policies. All WSA policies remain in full force and effect when employees choose to publish on social media. If the employee's social media activity would violate any of the Agency's policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to violate WSA's policies, including but not limited to technology use, communications systems, confidentiality and proprietary rights, ethics and standards of conduct, harassment, discrimination, privacy, or other laws or ethical standards.
- The state of Texas and federal government prohibits all WSA employees from using the video-sharing application TikTok on devices used for Agency-related business. For more information on prohibited technologies, see the Prohibited Technologies, Section 7.14.
- Personal social media activity is not permitted during work hours except during nonworking time such as rests and meal breaks unless otherwise protected or required by law. See Lunch Periods and Breaks, Section 7.2.
- Information and communications that an employee publishes on personal online sites should never be attributed to WSA or appear to be endorsed by, or to have originated from, WSA.
- Employees are never to identify a client in an online posting, unless approved by executive management as part of the employee's job duties. Employees are to respect the privacy of WSA's clients. In no case is any personally identifiable information ("PII") to be published online. See the Personally Identifiable Information, Section 7.21.
- Employees are prohibited from using WSA-owned equipment or systems for personal social media activity.

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- Employees are prohibited from making defamatory, libelous, slanderous, obscene, threatening, or harassing comments when discussing the WSA, supervisors, co-workers, partners, and clients.
- Employees are prohibited from providing references or recommendations for WSA partners, contractors, Board members, officers or clients on social or professional networking sites in any way that represents or appears to represent WSA's opinion.
- Employees are personally responsible and liable for the employee's personal social media communications. Employees must make it clear in personal social media activity that the employee is speaking on the employee's own behalf. If the employee discloses an affiliation as an employee of WSA, the employee must include a clear and conspicuous disclosure about the employee's relationship with WSA and a disclaimer that the employee's views do not represent those of WSA. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my employer."
- Since the information employees publish is accessible by the general public, the WSA hopes their comments will be truthful to and about the WSA, its employees, clients, partners, affiliates, and others as the WSA itself endeavors to be.
- WSA restricts employees' use and disclosure of the Agency's trade secrets, confidential information, and intellectual property. See the Confidential Information, Section 7.11. Do not do anything to jeopardize or unwittingly disclose sensitive materials through social media. Respect laws regarding copyrights, trademarks, and other third-party rights, terms of use on social media sites.
- Supervisors must not seek out social media communication by direct reports. No employee is required to accept any social media requests from anyone at WSA.

**7.9.2 Business Use of Social Media:** Employees who are required to use social media as part of the employee's job duties for WSA's marketing, public relations, recruitment, communications, or other business purposes, should consult with a direct supervisor regarding business use of social media. Note that WSA owns all social media accounts used on behalf of the Agency or otherwise for business purposes, including all log-in information, passwords, and content associated with each account, such as followers and contacts. The Agency owns all such information and content regardless of the employee that opens the account or uses it and will retain all such information and content regardless of separation of any employee from employment with WSA. Use good judgment about posting on social media and strive for accurate communications.

Any employee, whether or not authorized for business use of social media, contacted for comment about WSA for publication, including in any social media outlet, is required to direct the inquiry to the Director of Public and Government Relations and may not respond without written approval.

**7.9.3 Employee Liability:** The employee is personally liable for all communications and information the employee publishes online using WSA property. The use of the WSA assets, an Agency e-mail address or any e-mail address that can be traced back to WSA's domain, which generally is any internet address affiliated with the Agency, to communicate via social media could have legal consequences for the employee or the Board. Using the employee's name or title or a WSA e-mail address may imply that the

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employee is acting on the Agency's behalf. Because social media and networking activities are public, the employee's work e-mail address and the Agency's assets should be used only to perform job-related activities, which may include professional networking, but do not include personal social networking.

**7.9.4 No Expectation of Privacy:** WSA has a right to monitor an employee's activities using the organization's resources. An employee will have no expectation of privacy when using Agency resources.

**7.9.5 Disciplinary Action:** Breach of this and other related policies may result in disciplinary action, up to and including termination of employment.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

### 7.10 MEETINGS AND OPEN WORKSPACE AREAS

**7.10.1 Attendance at Meetings:** Employees are required to attend mandatory staff development sessions, staff meetings, or other meetings.

**7.10.2 Open Workspace Areas:** Special considerations for employees working in open workspace areas:

- When possible, use headphones rather than speakerphones.
- Keep meetings with visitors brief and to a minimum.
- Utilize conference room, team room, or a vacant office for longer meetings with two or more attendees.

### 7.11 CONFIDENTIAL INFORMATION

WSA is committed to conducting its business in an open and forthright manner. As part of this commitment, we regularly inform our customers, the community, and other concerned groups about certain aspects of our operations. At the same time, we are entrusted with maintaining the confidentiality of important information about Agency customers, contractors, our employees, and proprietary information about Agency plans, procurements, and systems.

**7.11.1 Employee Obligations:** While employed at WSA, employees may have access to information about customers, operations, plans, or other employees. Employees must be alert to the sensitivity of this information and protect against its unauthorized or inappropriate disclosure, both on and off the job and during and after employment with WSA. A seemingly innocent remark or a careless action may cause WSA to suffer a loss in employee and public confidence and may also have legal implications. Employees are prohibited from making copies of non-public Agency documents, records, or files without authorization from the employee's Director.

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**7.11.2 Definition of Confidential Information:** WSA's confidential information includes, but is not limited to, the following: all non-public electronic data, contacts information (including but not limited to Board Member and Officer contact information), and employee personal identifying information, client lists and client personal identifying information, and non-public information that includes any information that has not previously been released to the public by WSA through a press release.

**7.11.3 Required Procedures:** Employees must be knowledgeable of and carefully follow all procedures related to:

- Use of computer hardware and software and the safeguarding of computer information.
- Proper storage, reproduction, distribution, and disposal of WSA information.
- The appropriate release of privileged information about WSA and its customers.
- Encryption of documents sent via email containing personal identity data, such as Social Security numbers, addresses, phone numbers, and dates of birth.

**7.11.4 CEO Approval Required:** The CEO must authorize/approve all communication of Confidential Information in advance, whether oral or written.

**7.11.5 Disciplinary Action:** Employees violating this policy are subject to disciplinary action, up to and including termination of employment.

This policy is not intended to restrict employees' communications or actions that are protected or required by state or federal law.

## 7.12 AGENCY EQUIPMENT AND RESOURCES

WSA provides resources for performing the Agency's work. These resources include but are not limited to office furnishings and supplies, e-mail, voicemail, mail and printing services, and technology such as telephones, fax machines, copiers, cell phones, and computers.

Theft, attempted theft, defacement, destruction, and unauthorized use of WSA's resources for personal use are prohibited. Agency resources and assets may not be removed from the workplace unless authorized as part of an employee's job functions.

Employees must handle all WSA property with care. Employees are responsible for WSA resources issued during employment. This includes, but is not limited to, building keys, laptops, credit cards, phones, calling cards, and any other Agency property.

False or misleading entries and alterations to WSA's resources including but not limited to books and documents are strictly prohibited.

At termination of employment, employees are required to return all Agency property in the employee's possession. If the employee fails to return Agency property at the time of termination, the employee will be required to reimburse WSA for the reasonable value of the property.

## 7.13 USE OF COMPUTER RESOURCES

Computer resources and data used in performing job tasks include computer hardware and software, information about customers and employees, and competitive and strategic data. All employees must handle these resources and data with respect and care.

**7.13.1** WSA follows all state and local agency policies governing the use of its computer systems and networks. Employees are expected to read, understand, and follow all policies posted on the shared drive, including but not limited to:

- ADM 32, C1, Fraud Policy, ADM 33, Remote Desktop Support Policy;
- ADM 37, Information Technology and Security Acceptable Usage Policy;
- MIS 02 and MIS 02, Change 2, Access and Security in the Workforce Information System of Texas (TWIST), Work In Texas, and other State and/or Local Network Systems;
- MR 306, Security of Personal Identity Data;
- Memorandum of Record #334, Prevention and Detection of Fraud, Waste, Theft, and Program Abuse; and
- MIS 03, Monitoring the Use of Encrypting Documents

**7.13.2 Information System Security Agreement:** Upon hire and annually, managers will present the TWC Information System Security Agreement to employees, who are required to review and agree to the provisions in a timely manner.

**7.13.3 Employee Responsibilities:** Each employee with access to computer resources and data is responsible for protecting them. Employees must have knowledge of and carefully follow procedures related to the proper use, including, but not limited to, the following:

- Employees may not add software, hardware, and computer configurations, or attempt to repair computers or the computer network without express permission of the IT Director.
- Computer resources and data entrusted to employees are to be used only for their intended business purpose and may not be used for personal or non-Agency purposes.
- Employees must understand the classification(s) of information used in performing the employee's job and take appropriate steps to safeguard that information in all forms and at all times.
- Employees must keep computer usernames and passwords confidential and in a secure place. Do not share usernames or passwords with others, other than upon request by IT or the employee's supervisor. Change the password and notify IT immediately if security is breached.
- Entering or maintaining personal information in the WSA computer system is prohibited.

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- USB devices (thumb drives) may not be used on any WSA hardware absent express permission by the IT Director.
- When establishing passwords, employees must provide those passwords to their direct supervisor to access in the employee's absence.

**7.13.4 WSA Right to Access Information:** WSA may monitor all use of its technology for a variety of reasons, including the need to retrieve business information, route messages, troubleshoot hardware and software problems, prevent system misuse, assure compliance with software distribution policies, comply with legal and regulatory requests for information, and protect trade secrets.

Anything an employee does on a WSA computer is subject to monitoring or review. Employees have no expectation of privacy in any computer-related activities, and WSA conducts periodic reviews of computer activities, including email and files stored on the system.

All technology hardware, software, and the computer network system are WSA property and are to be used in accordance with WSA policy. Although employees who use WSA's technology ("Users") have their own individual access codes to these systems, these systems are accessible at all times by the System Administrator. Passwords do not ensure privacy.

By placing information on these systems, Users grant WSA the right to edit, delete, copy, republish, and distribute such information. Data created or stored on the WSA system is not the private property of any User. Please note that even when the User or recipient erases data, it may be possible to recover the data.

Users have no expectation of privacy with respect to any information residing on WSA hardware, software, or other WSA property. At all times, the WSA retains the right in its sole discretion to access and search all directories, indexes, files, databases, e-mail messages, electronic transmissions, or any other electronically stored information contained in, stored in, or disseminated by WSA-owned computers, or other electronic systems, devices or storage media, or systems and devices designated for the Agency, without prior notice, for the purpose of ensuring compliance with all WSA policies including this policy. This right applies both during the employee's employment or User's relationship with the WSA and after the termination of employment or relationship.

**7.13.5 Restrictions on Use of Technology:** WSA technology is to be used primarily for business use and to communicate WSA announcements and information. Any conduct prohibited by WSA policy is prohibited when using WSA technology.

Users are prohibited from using WSA technology, including accessing the internet through WSA's computer network, in any way that may be disruptive or offensive to others, including, but not limited to, the transmission, receipt, or viewing of sexually explicit messages, cartoons, images, or sounds; profanity; ethnic or racial slurs; comments that ridicule a person because of their race, color, religion, creed, national origin or ancestry, ethnicity, sex (including pregnancy and sexual orientation), gender

(including gender nonconformity, gender identity, and status as a transgender individual), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, protected hairstyle (including hair texture and natural hair types historically associated with race including but not limited to braids, locks, and twists), prior civil rights activity, or any other characteristic protected under applicable federal, state, or local law or anything else that may be construed as unlawful harassment or disparagement of others.

- 7.13.6 Protection of Confidential Information:** Individuals must take all reasonable precautions to prevent unauthorized access to User accounts or any confidential or proprietary WSA, partner, or client information by others who do not have a right to know such information as a part of their job functions, both inside and outside of the WSA. Users should use complex passwords and change them frequently and must not disclose their passwords or other access codes for any reason except to authorized WSA personnel. Users should also be aware that any communication via e-mail that is delivered over the internet is not encrypted and may be intercepted, copied, and/or modified during transmission by a third party. As such, Users should not transmit any confidential or sensitive WSA and/or client information over the e-mail system if the transmission utilizes the Internet for delivery to the recipient.

Except for the WSA's right to retrieve and read any/all electronic mail messages, such communications should be treated as confidential by other Users and accessed only by the intended recipient. Users are not authorized to retrieve or read any e-mail or voicemail messages that are not sent to them, or to use unauthorized accounts, files, software, or other computer resources. Any exception to these guidelines must be approved by the User whose messages are being retrieved or read, the CEO, IT, or Human Resources.

Users must not use a code, access a file, or retrieve any stored information unless authorized to do so. Users should not attempt to gain access to another User's messages or files without permission from the CEO, IT, or Human Resources.

Users must not take any actions that would infect or harm WSA and/or client resources such as knowingly disseminating a computer virus.

- 7.13.7 Email Use:** Email is WSA's property and may only be used for Agency purposes. The following rules apply:
- WSA expressly prohibits the use of email to transmit, receive, or forward lewd, offensive, discriminatory, inappropriate, or harassing messages.
  - WSA reserves the right to monitor, review, and read any email at any time. Employees do not have a right of privacy in any work-related email whether created, received, or sent.
  - For inter-office communications, employees are encouraged to use the shared drive as a means of sharing Agency documents, rather than sending the documents as email attachments.

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- Employees are discouraged from using the Reply to All feature when answering emails.
- Chain letters, broadcasting messages to a large number of individuals or lists of users, and other large distribution of personal messages interfere with the use of technology by other Users and are not allowed.
- The electronic mail system must not be used to send or receive copyrighted materials, trade secrets, proprietary information, or similar material without appropriate authorization.
- No e-mail or other electronic communications may be sent that hide the identity of the sender or represent the sender as someone else.

### 7.13.8 Internet Use: The following rules apply:

- Internet access is granted to employees by WSA and must be used to conduct Agency business only.
- Adjustments to the technical configuration of the Internet workstation are strictly prohibited.
- Any illegal activities—including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail—are forbidden.
- Employees are prohibited from accessing websites for gaming or that contain offensive, obscene, sexually oriented, or discriminatory images, graphics, or other such materials.
- Users must not attempt to modify system configurations or account restrictions, or attempt to breach the computer security systems.
- Computer games may not be played on WSA systems at any time or on personal equipment during work hours or in work areas.
- If Internet usage problems arise, notify a director or IT for assistance.

### 7.13.9 Software Use: The following rules apply:

- Employees must use software in accordance with the license agreement. Information is available from the IT Department.
- Computer resources must be used within the restrictions of software access, license, and usage agreements. Users must not make or distribute unauthorized copies of copyrighted software. Users are not permitted to execute or install any software without prior authorization by IT.
- Employees who become aware of software/product misuse must notify the Director.

## 7.14 CELL PHONES

WSA provides cell phones and service to employees to assist in the performance of their jobs on an as-needed basis. Cell phones are intended for official use. The following guidelines apply to the use of Agency-issued cell phones:

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- Phone plans are purchased for the benefit of the Agency and are not intended for regular personal use by the employee.
- Occasional personal use of cell phones is permitted, but excessive unauthorized personal use may result in disciplinary action.
- WSA reserves the right to audit for personal usage outside of cellphone plans and seek reimbursement. Employees have no expectation of privacy when using WSA-provided cell phones and service.
- Regardless of whether the cell phone is Agency-issued or personal, use any type of cameras on premises or on Agency business without the express consent of management is prohibited.
- Failure to follow this policy may result in loss of phone privileges and may include disciplinary action up to and including termination of employment.

### 7.14 PROHIBITED TECHNOLOGIES

The Agency prohibits employees from using software and hardware products with security concerns as directed by the state ("Prohibited Technologies") and may be required to remove additional Prohibited Technologies added to the Texas Department of Information Resources (DIR) Prohibited Technology list.

In addition, the federal government has determined that due to "an unacceptable level of risk" to national security, the presence or use of the social networking service TikTok on any information technology (IT) used in the performance of a government contract is prohibited. This prohibition also applies to any "successor application" developed by TikTok owner and operator ByteDance. WSA prohibits the installation or use of TikTok or ByteDance applications on any IT system or device used for any work purpose. Such use includes, but is not limited to, email, phone calls and virtual meetings.

Prohibited Technologies have been removed any prohibited applications from Agency equipment and blocked the future download of these applications. Should an employee discover the presence of a prohibited application on WSA property, the employee should immediately notify the IT department.

All Agency employees are responsible for complying with the terms and conditions of this policy. This policy also applies to all visitors to the Agency.

Except where exceptions approved by the CEO apply, the installation, access, use, or download of Prohibited Technologies, including but not limited applications or websites, is prohibited on all state-owned devices, including but not limited to cell phones, tablets, desktop and laptop computers, and other internet capable devices. Employees may not access "app stores" or non-authorized software repositories and may not install unauthorized applications.

All employees must sign a document annually confirming their understanding of this policy.

Compliance with this policy will be verified through various methods, including but not limited to, IT/security system reports and feedback to Agency leadership.

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Exceptions to this policy must be approved by the CEO and will only be considered when the use of Prohibited Technologies is required for a specific business need, such as enabling criminal or civil investigations or for sharing of information to the public during an emergency. For personal devices used for state business, exceptions will be limited to extenuating circumstances and only granted for a pre-defined period of time. To the extent practicable, exception-based use will only be performed on devices that are not used for other state business and on non-state networks. Cameras and microphones must be disabled on devices for exception-based use.

An employee found to have violated this policy may be subject to disciplinary action, including termination of employment.

Employees with questions about Prohibited Technologies must consult with IT.

**7.14.1 Sensitive Locations:** Agency-designated “Sensitive Locations” are designated for employees who need to discuss confidential or sensitive information, including information technology configurations, criminal justice information, financial data, personally identifiable data, sensitive personal information, or any data protected by federal or state law.

**7.14.2 Personal Devices:** This policy includes personal devices that are used by employees performing services in connection with a federal contract. These employees must delete all TikTok applications from their personal devices if the devices are in any way used in the performance of work on a government contract. Should evidence of the presence or use of TikTok or ByteDance applications be discovered on a personal device the employee uses for work on a government contract, the employee will be required to delete the application(s) immediately. Continued violations of this policy will result in disciplinary action.

Personal devices such as personal cell phones, tablets, or laptops may not enter Sensitive Locations, including any electronic meeting labeled as a Sensitive Location. Personal devices may be used in areas not designated as Sensitive Locations. Public meetings and public areas are not designated as Sensitive Locations.

Employees are prohibited from using personal devices to conduct business related to TWC programs, including accessing any state or board-owned data, applications, nonpublic facing communications, and email accounts. State business includes accessing any state-owned data, applications, email accounts, non-public facing communications, state email, VoIP, SMS, video conferencing, CAPPS, Texas.gov, state technology infrastructure, and any other state databases or applications.

## 7.15 PERSONNEL INFORMATION

To ensure that personnel files are kept current at all times, employees must provide Human Resources with any changes, in writing, regarding their name, home address, telephone number, cell phone number, marital status, changes in beneficiary designations.

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### 7.16 REFERENCES

Only Human Resources may provide references for employees. All requests for employee information or references must be referred to Human Resources. Information provided for references will be limited to dates of employment and position(s) held while employed.

### 7.17 PERSONAL TELEPHONE CALLS

WSA allows its employees the privilege of making and receiving limited necessary personal phone calls while on Agency time. When necessary for employees to make or receive personal phone calls at work, the calls should be reasonable in length and of reasonable frequency.

### 7.18 VISITORS IN THE WORKPLACE

To maintain security and reduce unnecessary interruptions in the workplace, WSA prohibits personal visits without permission. If a family member, vendor, friend, or business associate needs to briefly visit the work area, arrange prior approval from a supervisor and avoid staff interruptions. Children are not permitted in WSA offices or worksites. Do not allow visitors to wander freely around the department or workplace.

All visitors must be accompanied by staff while in WSA offices. All visitors must sign in with the receptionist and wear a visitor badge. All visitors are subject to WSA's Solicitation and Distribution Policy.

### 7.19 SOLICITATION AND DISTRIBUTION

In order to maintain and promote safe and efficient operations, employee discipline, and an attractive clutter-free workplace, and to minimize non-work-related activities that could interfere with customer satisfaction, product quality, and teamwork. WSA prohibits solicitation and distribution of literature during employees' working time. Working time includes any time in which employees are engaged in or required to be performing work tasks. Working time excludes times when employees are properly not engaged in performing work tasks, including break periods and mealtimes.

Employees may not solicit other employees during working time; distribute literature during working time; distribute literature at any time in working areas; use Agency property such as telephones, computers, smartphones, email systems, and intranets to solicit other employees; use Agency property such as scanners, printers, copy machines to produce literature or inter-departmental mail, mailboxes, working area bulletin boards to distribute literature. Working areas include areas controlled by WSA where employees are performing work, excluding, for example, cafeterias, break rooms, and parking lots.

The sole exceptions to this policy are for solicitations and distributions related to charitable activities approved by the CEO.

Solicitation means, for example, approaching someone in person or through employer-owned property such as computers, smartphones, email systems, and intranets for offering anything for sale, asking for donations, collecting funds or pledges, seeking to promote, encourage or discourage participation in or support for any organization, activity or event, or membership in any organization, or distributing or delivering membership cards or applications for any organization.

Distribution means, for example, disseminating or delivering in person or through Agency property such as bulletin boards, computers, smartphones, emails, and intranets any literature or other materials including circulars, notices, papers, leaflets or other printed, written or electronic matter.

Employees who violate any provision of this policy may be subject to discipline, up to and including termination of employment.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

## **7.20 USE OF AGENCY-OWNED OR LEASED VEHICLES AND DRIVING FOR AGENCY BUSINESS**

WSA may provide a vehicle, owned or leased, for Agency business ("Vehicle"). Only full-time employees are permitted to drive the Vehicle. Temporary employees are prohibited from driving the Agency Vehicle, except with express prior permission from the CEO.

**7.20.1 Use of Agency Vehicle:** Employees driving the Vehicle must adhere to this policy, including the following:

- Employees must present valid Texas drivers' licenses and proof of liability insurance to Fiscal or Fiscal's designee and be free of any issues with driver's license, driving record, and auto insurance at the time of checkout.
- See Reporting Requirements, Section 7.20.5, for reporting any conditions that affect an employee's ability to drive the Vehicle.
- Employees who drive on behalf of the Agency are subject to a satisfactory annual Motor Vehicle Records check.
- Personal use of Vehicles is strictly prohibited.
- Bona fide Agency guests may be passengers in the Vehicle. No family members may drive or be passengers in the Vehicle.
- WSA may provide a credit card to be used for payment of gas and emergency services only. Use of the credit card for other purposes will result in disciplinary action, up to and including termination.
- Employees are required to fill the gas tank on the Vehicle using the WSA credit card, if the reading is below half a tank when returning the Vehicle. Employees are permitted to use the credit card for a car wash for the Vehicle if necessary.
- Employees may not take the Vehicle home overnight.
- When returning the Vehicle to the garage, employees must note the garage level to which the car is being returned and whether the location is on the ascending or descending level on the log form.

- 7.20.2 Rather than using a personal vehicle, employees must first check the availability of the Vehicle before planning travel and are expected to use a Vehicle when it is available. Failure to use the Vehicle when it is available may result in non-reimbursement for business travel. Requests for exceptions to this policy to use a personal vehicle when the Vehicle is available must be made in writing to the CEO or the CEO's designee prior to travel. See Travel Expenses, Section 3.6 for more information.
- 7.20.3 Employees traveling outside Bexar County or when conducting investigations, such as for the Fraud Investigator, will be given priority use of Vehicles.
- 7.20.4 **Driver's Responsibilities:** When an employee drives a vehicle for Agency business, whether personal, the Agency Vehicle, or a leased/rented vehicle, the employee is responsible for complying with the following:
- Drive in a safe, courteous, and defensive manner. Hands-free operation of cell phones, when driving, is allowed only when in compliance with applicable law. Texting, tweeting, gaming, and accessing social media while driving is prohibited. Putting on makeup and other personal tasks also are prohibited while driving.
  - Take reasonable precautions to ensure that the vehicle is accounted for and protected from damage, loss, unreasonable deterioration, and theft. Walk around the vehicle before and after the trip to note and report any changes to the exterior appearance of the vehicle and to tire condition. Report warning lights that come on during the trip or any changes in how the vehicle operates.
  - At all times, use seatbelts or other available restraints and require occupants to do so, in accordance with Texas law. The number of passengers may not exceed the number of seatbelts in the vehicle.
  - Smoking is prohibited in an Agency vehicle (owned, leased, or rented) and is also prohibited in personal vehicles if Agency employees or guests are present.
  - Eating and drinking beverages is not allowed in an Agency vehicle. Employees must park in a safe place to eat. Alcoholic beverages are never permitted in the Agency vehicle. Employees must dispose of all accumulated trash and ensure the Vehicle is in the same condition when it was checked out before returning the car.
  - Drive the vehicle at legal speeds, appropriate for traffic, weather, road conditions, and in accordance with any signage.
  - Employees are responsible for all fines or traffic violations arising from the use of a vehicle while on Agency business.
  - Take the most direct and practical route to and from the intended destination while conducting Agency business.
  - Immediately report any accident, even if it is minor, that occurs while on Agency business or in an Agency Vehicle to a direct supervisor; call the police on all accidents, and obtain a copy of the police report.
  - Illegal substances, alcohol, weapons, and other contraband are prohibited from being stored, transported, placed, or used in a vehicle while on Agency business.
  - Employees will not permit unauthorized individuals to ride in or operate the Agency Vehicle at any time and leased/rented vehicles on Agency business.

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**7.20.5 Reporting Requirements:** Employees must immediately report any problems with the employee's driving record, insurance, or license to Human Resources before driving on Agency business. Employees must immediately report the following:

- Revocation or suspension of driving license, or other conditions on the employee's ability to drive.
- Termination, expiration, or suspension of auto insurance.
- Arrest or conviction (including deferred adjudication) related to operating a vehicle while under the influence of alcohol, an illegal substance, or controlled substance.

### 7.21 PERSONALLY IDENTIFIABLE INFORMATION (PII)

As a workforce entity, WSA and state and local partners handle a vast amount of information about clients that can be damaging if disclosed to the wrong individual or misused by staff. Personally Identifiable Information or Sensitive Personal Information (PII) is any information pertaining to an individual that can be used to distinguish or trace a person's identity, on its own, or in combination with other information that is linkable to an individual. PII is collected on current and prospective registrants and participants, past participants, employees, and Board members. Prospective and current participants in WSA youth programs also require additional consideration and special handling.

The table below provides examples of different types of PII. Please note that the list is not exhaustive and is not intended to cover every possible example.

Examples of PII that may require legal notification of breach	Examples of Other Protected PII that is considered Sensitive / Confidential	Examples of Other PII with the potential for misuse
Social Security Numbers	Educational records	Date of birth
Driver's license numbers	Grades, transcripts, schedules	User credentials
Financial account information	Personal financial information (not including account information)	Last 4 of SSN
Credit card number	Employment records	Student ID numbers

WSA and its partners may collect PII in paper, electronic records, and in oral communications, as well as aggregated in an electronic format (i.e. databases, spreadsheets, tables, SharePoint). When PII is collected, the following considerations must be made:

- In general, WSA requires that all legal requirements be followed in collection, use, disclosure, transmission, storage, and disposal of PII.
- Appropriate safeguards must exist to protect against inappropriate access, use, disclosure, or transmission of PII. These safeguards include, but are not limited to, storing

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paper records in a secured location, keeping laptops secured when away from a desk (WSA), and encrypting data prior to transmission via e-mail. WSA will monitor initiatives, subgrantees, and vendors to ensure that appropriate safeguards are in place.

- Collection of PII should be conducted in such a way as to minimize the potential for exposure. Collected PII should be appropriate for the intended purposes. PII should not be aggregated, unless necessary and then only for the business purposes needed.
- Access to PII is based on the principle of "need to know." Individuals accessing PII must be permitted to do so by law or regulation and must have a legitimate "need to know" the information. The authorization to access PII is specific to that need. In other words, an intake specialist may need to know an individual's date of birth in order to determine program eligibility and can access the information that enables the specialist to know that specific information.
- Disclosure to third parties may only occur as required law or regulation. WSA has established that access to PII is limited to such information as may be needed to fulfill the request.
- All staff will be trained in PII disclosure.

WSA must ensure that these guidelines are followed by all employees, contractors, vendors, and volunteers.

Any breaches, real or potential, must be reported immediately. Examples of data breach include misplacing a participant file, loss of a laptop, mobile device, or removable media (i.e. flash drive), accidental e-mail of PII, virus, or malware attack on a computer containing PII.

WSA will conduct a thorough investigation of a breach.

Employees who are found to be in violation of this policy may be subject to disciplinary action as deemed appropriate based on the facts and circumstances of the violation.

## SECTION VIII - RULES OF CONDUCT AND DISCIPLINARY PROCESS

### 8.1 EXPECTATIONS FOR EMPLOYEE BEHAVIOR

WSA maintains rules regarding employee behavior that are necessary for the efficient operation of the Agency and for the benefit and safety of all employees. Using WSA's resources inappropriately, impeding the providing of Agency services, or interfering with operations will not be tolerated.

Each employee must maintain the highest standards of performance and conduct. When dealing with clients, business contacts, other employees, contractors, vendors and suppliers, Agency employees must comply with the highest ethical, regulatory, and business standards. Employees with questions about this policy must discuss the matter with a manager or Human Resources.

**8.1.1 Compliance with Professional and Regulatory Standards:** Employees are hired with the expectations that they are not only qualified for their positions but that they will undertake the initiative and effort to maintain the necessary skills and qualifications for the position.

**8.1.2 Employee Responsibilities:** Each employee has the following responsibilities:

- Adherence to the highest professional and ethical standards.
- Acquiring and maintaining any required licenses, continuing education, and certifications.
- Learning, understanding, and applying any current or new standards, rules, regulations, or laws applicable to the position.
- Although WSA may from time to time conduct staff and informational meetings, employees are responsible for and will be held accountable for knowing and complying with all applicable standards and requirements applicable to their jobs.

**8.1.3 Expected Conduct:** Employees are expected to conduct themselves in a manner that promotes the Agency's mission. Such conduct includes but is not limited to:

- Report to work punctually as scheduled and being at the proper work location, ready for work, at the beginning of the scheduled workday.
- Give proper advance notice when unable to work or report on time.
- Comply with all WSA safety and security regulations.
- Wear clothing appropriate for the work being performed.
- Maintain the workplace and work area in a clean and orderly manner to foster workplace safety.
- Exhibit a professional manner both within the Agency and to the general public.
- Refrain from behavior or conduct in violation of harassment or workplace violence policies, including but not limited to name calling; demeaning jokes; taking credit for another's work or ideas; refusing to communicate or speak with another co-worker; offensive verbal, visual, or physical contact; invading another's privacy or

personal space; blaming others for the employee's mistakes; gossiping; and bullying.

- Perform assigned tasks efficiently and in accordance with quality standards set by WSA.
- Report to management suspicious, unethical, or illegal conduct of fellow employees, customers, or visitors.

## 8.2 STANDARDS OF CONDUCT

These standards of conduct are necessary to protect the health and safety of employees and others, to maintain operational efficiency, and to protect WSA's goodwill, reputation, and property.

**8.2.1 Examples of Misconduct:** No list of infractions is exhaustive. However, the following list includes examples of behavior that are disruptive to the workplace and are grounds for disciplinary action. WSA reserves the right to interpret and apply these rules and guidelines and to determine, at its sole discretion, the degree of discipline to be issued to the employee for violating any rule or engaging in any other misconduct. WSA may consider the circumstances involved, the employee's overall work record with the Agency, and other pertinent factors.

Misconduct on Agency premises or on Agency business that will lead to disciplinary action, up to and including termination of employment include, but are not limited to, the following:

- a. Unauthorized removal, disclosure, or use of non-public information related to WSA's business, employees, clients, or partners.
- b. Excessive tardiness or absenteeism.
- c. The unlawful manufacture, distribution, possession, sale, or use of alcohol or a controlled substance(s) during working hours, on Agency premises, or on any work-related jobsite.
- d. Reporting to work under the influence of alcohol, drugs, or controlled substances without medical authorization.
- e. Threats of or theft, abuse, neglect, waste, defacement, or destruction of equipment, supplies, goods, or property belonging to WSA, a fellow employee, or others.
- f. Leaving an assigned work area or WSA premises during working hours without permission of a direct supervisor.
- g. Creating or contributing to unhealthy, unsanitary, or hazardous conditions which could cause harm to the employee, fellow employees, or others.
- h. Possession of firearms, explosives, knives, or other illegal weapons, or using an item as a weapon.
- i. Gambling in any form, including lotteries and games of chance.
- j. Violating safety rules or safety practices.
- k. Abusive conduct or language to fellow employees, supervisors, customers, or others.
- l. Fighting, threatening, intimidating, or endangering a fellow employee, supervisor, or others.

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- m. Insubordination without good reason such as refusing to follow a supervisor's instructions, to work overtime when required, to render assistance, including but not limited to providing an insolent response to a supervisor's instructions or delaying carrying out an assignment.
- n. Dishonesty or violation of business or ethical standards.
- o. Inability or unwillingness to perform essential duties of the job, with or without reasonable accommodation, as outlined in the job description.
- p. Carelessness, negligence, or other conduct which creates the risk of, or which causes injury to persons or to the property of the WSA, its clients, partners, employees, or others.
- q. Making false or malicious statements.
- r. Engaging in any form of harassment or intimidating conduct or behavior.
- s. Falsifying or altering any WSA record or report, including but not limited to an application for employment, time record, expense report, or providing misleading or fraudulent information to management orally or in written form.
- t. Illegal or unauthorized entrance onto WSA premises.
- u. Behavior, regardless of whether on the premises or elsewhere that, in the judgment of WSA, is indecent, immoral, or defames WSA.
- v. Sleeping on the job or not using work time productively.
- w. Abuse of lunch or other authorized breaks.
- x. Utilization of any of WSA's supplies, facilities, copiers, faxes, equipment, books, computers, or other assets for personal use.
- y. Making false or misleading entries into any of WSA's computers, records, books, files, employment documents, time records, payroll records, reimbursement forms, or other business-related papers.
- z. Making or receiving excessive personal telephone calls.
- aa. Engaging in any activity or business, which creates an actual or potential conflict of interest.
- bb. Failure to report to appropriate management any suspicious, unethical, or illegal conduct.
- cc. Breach of confidentiality policies.
- dd. Smoking or vaping in unauthorized locations.

### 8.3 DISCIPLINARY PROCESS

WSA disciplinary process is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable employee behavior. Nothing in this policy provides any contractual rights regarding employee discipline or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between WSA and the employee. At its sole discretion, WSA reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling, or training; the employee's work record; and the impact of the conduct has on the organization.

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When issuing a written or final warning or during termination, supervisors will have a third person present, either Human Resources or another supervisor.

**8.3.1 Investigatory Administrative Leave:** An employee may be placed on paid or unpaid administrative leave during an investigation, depending on circumstances and at the sole discretion of WSA. The employee may elect to use PTO during this period. Pending the result of the investigation, the employee under investigation may be terminated.

**8.3.2 Steps for Disciplinary Action:** The steps for disciplinary action for infractions may include one or more, or a combination of, the following:

**Documented Oral Warning (Counseling):** Used when the supervisor identifies a behavioral issue and discusses it with the employee. The purpose of this step is to resolve problems quickly so further action is not necessary.

**Written Warning:** Used when an employee has committed an act or a series of acts that may lead to further disciplinary action.

**Suspension and/or Final Warning:** Used when conduct is serious or an employee has committed multiple or a series of acts subject to disciplinary action. When conduct is so problematic or harmful to the workplace, the most effective action may be the temporary removal of the employee from the workplace pending the results of an investigation. Depending on the seriousness of the infraction, the employee may be suspended with or without pay in full-day increments, in the Agency's sole discretion. Non-exempt employees may not use accrued unused leave in lieu of an unpaid suspension.

**Termination:** Generally, WSA will try to use the steps above before proceeding to termination. However, WSA may combine or skip steps and proceed with immediate termination depending on the circumstances, such as when an employee has engaged in misconduct, illegal behavior, acts of violence, repeated violations of policy or procedure, or failure to perform job duties.

**8.3.3 Ineligibility for Pay Increases and Bonuses:** When an employee is subject to administrative leave, suspension, or written warning, suspension, or final warning, the employee will be ineligible for pay increases or bonuses until either (1) the next review period, or (2) for six months of satisfactory improvement in the sole discretion of the employee's supervisor, whichever is longer.

## SECTION IX – EMPLOYEE SEPARATION

### 9.1 SEPARATION OF EMPLOYMENT

- 9.1.1 Resignation:** Resignation is a voluntary separation from employment initiated by the employee. In order to leave the Agency in good standing, employees must submit a resignation in writing to a direct supervisor or to Human Resources. Staff are asked to give at least two weeks' notice, and management-level employees are asked to give four weeks' notice.
- 9.1.2 Termination:** Termination is an involuntary separation of the employee initiated by the Agency.
- 9.1.3 Eligibility for Rehire:** Non-management employees who resign with at least two weeks' written notice, management employees who resign with at least four weeks' written notice, or employees who were released by WSA under favorable conditions are eligible for rehire.
- 9.1.4 Return of Company Property:** In all cases of employee separation, all Agency equipment, keys, or other items must be returned and any issues with Agency equipment or special expenditures on the employee's behalf will be discussed.
- 9.1.5 Contact Information:** Employees are responsible for keeping WSA advised of a current mailing address for post-separation mailings.

### 9.2 FINAL WAGE PAYMENTS

An employee who leaves employment with WSA will be paid in full for all wages earned as of the date of separation. Deductions will be made for items or amounts that the employee has previously authorized in writing.

- 9.2.1 Resignation:** Final pay will be provided on the next scheduled pay day and can be directly picked up at WSA or mailed to a specified address.
- 9.2.2 Termination:** Final pay will be provided in accordance with the Texas Payday Law within six days of termination.
- 9.2.3 Payment for Accrued Unused PTO:** Final wages will include accrued unused PTO only as follows:
- Employees who resign with two weeks' written notice for staff or four weeks' written notice for management and have been employed for at least three months with WSA will be paid accrued unused PTO.
  - Termination by the Agency will result in forfeiture of accrued, unused PTO.

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## EMPLOYEE ACKNOWLEDGMENT FORM

The Employee Handbook describes important information about WSA. I understand that I should consult with Human Resources regarding any questions I have about this Handbook. I have received this Handbook or have been given access to an electronic copy. I understand that it is my responsibility to read and comply with the policies and procedures contained in this Handbook and any revisions made to it.

Since all the information, policies, procedures, and benefits described here are subject to change, I acknowledge that revisions to this Handbook, and all WSA's underlying information, policies, procedures, and benefits may occur. I understand that revised information, policies, procedures, and benefits may supersede, modify, or eliminate existing information, policies, procedures, and benefits, with or without prior notice. I understand that any delay or failure by WSA to enforce any rule, regulation, or procedure contained in the Handbook will not constitute a waiver of WSA's right to do so in the future.

Furthermore, I acknowledge that this Handbook is not a contract of employment for any duration of time. Employment with WSA is at-will and may be terminated by either the employee or WSA at any time, with or without cause. No statement or representation by a manager, employee, recruiter, representative, supervisor, agent, officer, or director of the WSA, whether oral or written, may change the at-will nature of employment with WSA.

Except for the at-will employment policy, I understand that revised information may supersede, modify, or eliminate existing provisions in this Employee Handbook, including any attachments referenced therein.

In the event any policy or guideline contained within this Handbook conflicts with local, state or federal law or regulations, such law or regulations will prevail.

Employee's Name (printed): \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## MEMORANDUM

**To:** Audit & Finance Committee

**From:** Maria Martinez, Interim Director of Human Resources

**Presented By:** Adrian Lopez, CEO

**Date:** February 28, 2025

**Subject:** Employee Benefits Analysis

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**Summary:** Workforce Solutions Alamo conducted an Employee Benefits survey to the 27 Workforce Development Board in Texas. This memorandum summarizes the results of the recent employee benefits survey.

**Analysis:** Workforce Solutions Alamo Board conducted a comparative analysis of benefit offerings and contribution structures across the other 27 Workforce boards, receiving responses from 18 Boards. The survey examined benefit offerings, average employee contributions, and additional comments related to employee healthcare coverage—17% of boards were concerned about the increase in the cost of employee health benefits.

- **Council of Governments (COG) Participation:** 28% of respondents (5 Boards) are part of a Council of Government.
- **PEO Utilization:** 11% of respondents (2 Boards) utilize a Professional Employer Organization (PEO) for employee benefits. The other 89% of boards cover employee benefits through company-sponsored plans.
- **Employer-Paid Benefits:** 33.33% of respondents (6 Boards) offer employer-sponsored coverage to both employees and dependents, while 67% (12 Boards) only provide employer-sponsored benefits to employees.
- **Benefit Offerings:** Basic benefits covered by all boards include Medical, Dental, Vision, Life Insurance, and a 401(k) Match. Enhanced benefits include Short-Term Disability (STD), Long-Term Disability (LTD), Teladoc Services, and Employee Assistance Programs (EAP). The boards split the benefits equally between basic and enhanced benefits.

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- **Employee Average Contribution:** 76% of organizations reported contributions under \$200, 17% reported contributions between \$200 and \$500, and 6% reported contributions greater than \$500.

**Alternatives:** Current options that the board may consider when evaluating employee health benefits include:

- **Maintain Current Benefits:** Continue providing existing benefits at current contribution levels.
- **Other Options:** The current board budget absorbs health insurance costs, keeping the employee contribution of enhanced benefits under \$200 per month while the rising cost of insurance to cover dependents is greater than the \$500 per month, which employees absorb. These costs affect 17% of our staff.

**Fiscal Impact:** Expanding coverage or reducing employee contributions may increase organizational costs. Providing dependent coverage or lowering employee premiums could impact the benefits budget. However, improved benefits could enhance employee satisfaction, retention, and recruitment.

**Recommendation:** Monitor budgets annually, and if a budget deficit occurs that would impact employee benefits, ensure an entire procurement is complete to evaluate all options through the annual budgeting process.

**Next Steps:** The survey results will be disbursed to all stakeholders and relevant participants, and an annual cost reasonableness analysis will be conducted to determine the value of employee benefits.