

TVC Response to Draft Report



TEXAS VETERANS COMMISSION

Stephen F. Austin Building, Suite 800
P.O. Box 12277, Austin, Texas 78711-2277
(Phone) 512/ 463-6564; (FAX) 512/ 475-2395
Veterans' HOTLINE: 1-800-252-VETS (8387)
E-Mail: info@tvc.state.tx.us
Web: www.tvc.state.tx.us

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March 29, 2010

Michael Yarbrough
Acting Audit Director for VETS/FLC Audits
U.S. Department of Labor
Office of Inspector General – Audit
525 Griffin Street, Room 415
Dallas, TX 75202

Dear Mr. Yarbrough:

This report's audit objective was to determine if TVC provided services to meet veterans' employment and training needs. Based on the DOL-OIG result that 84 percent of veterans were "provided a full range of employment, training and placement services to meet their needs," we conclude that TVC is meeting the employment needs of veterans.

While there is room for improvement, particularly with the hardest-to-serve disabled and homeless veterans, TVC has taken significant steps to enhance those services and were recognized by numerous national level veteran service organizations and workforce organizations for Texas' exceptional service to veterans.

The list of Awards and Recognitions from 2008 and 2009 include:

- 1. Mark Sanders Award for Exceptional Service to Disabled Veterans from the National Association of State Workforce Agencies, 2008.
2. National Employment Office of the Year from the Veterans of Foreign Wars (VFW), 2008.
3. National Employment Office of the Year from the American Legion, 2008.
4. National DVOP of the Year from the American Legion, 2008.
5. National DVOP of the Year from the Disabled American Veterans (DAV), 2008
6. National DVOP of the Year from the DAV, 2009.
7. National LVER of the Year from the DAV, 2009.

As declared in our current State Plan, "one of the key elements in maintaining these high standards is staff training." This training starts with our own TVC Initial Training for all new DVOP and LVER staff. We conducted the first of these training sessions in April 2008, which included significant time for Intensive Services. We continue to perform Initial Training on a regular basis. Our Annual Training Conference in September 2009 also focused considerable time on the proper delivery and documentation of Intensive Services, which included four hours of mandatory Intensive Services training for all DVOP specialists.

The Texas Veterans Commission does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or providing services.

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The TVC's training is designed to compliment the instruction received at the National Veterans' Training Institute (NVTI) which offers two courses in case management. The introductory Case Management course provides DVOP and LVER with the core requirements for Intensive Services based on federal law and DOL-VETS policy guidance. Additionally, Texas has funded two Advanced Case Management courses provided in-state in April 2008 and March 2010. Since 2006, TVC has filled 540 training seats at NVTI and will continue to aggressively pursue NVTI training.

In 2009 TVC raised standards for the quantity and quality of case management files. On September 9, 2009 TVC issued Veterans Employment Services Letter (VESL) 2009-03 increasing performance standards for all staff, with specific direction to increase the number of veterans receiving Intensive Services. The VESL also implemented statewide a standard for the quality of Intensive Services files by requiring a checklist for each file.

With the DOL-VETS release of VPL 05-09, which allotted additional FY2009 funding to States, TVC immediately prepared a plan to further improve Intensive Services by developing an on-line Case Management System (CMS) to replace the current hard copy method. The CMS will automate the IDP and case notes and provide reporting on current and past veterans enrolled in Intensive Services. Further, the CMS will enhance the quality of services by ensuring IDPs are complete and easily reviewed by TVC management. The TVC expects the CMS to be piloted in April and anticipates statewide implementation in June 2010.

In the area of homeless veterans, TVC makes every effort to assist this population with their employment needs. However, the very nature of homelessness makes it difficult to maintain contact with them for job referrals, Intensive Services and other employment assistance. The TVC employment staff participate in Homeless Standown events across the state and outstations DVOP specialists at various homeless assistance organizations such as the American GI Forum in San Antonio.

Despite TVC's employment expertise, due to limited resources, DVOPs must often refer homeless veterans to agencies and organizations with specific resources to assist them in overcoming the cause of their homelessness. Currently, two organizations receive grants from DOL-VETS under the Homeless Veterans Reintegration Program (HVRP). These grantees are an ideal example of organizations that are dedicated to assisting homeless veterans and have the resources to address their particular needs.

The TVC disagrees strongly with the language that \$2.9 million in DVOP funding "may not have been spent as intended and the funds could have been put to better use." There is no suggestion in this report what a "better use" of the DVOP funds might be. Put simply, there is no compelling support for this statement.

Furthermore, the DOL-OIG confirmed that more than 84 percent of veterans received a full range of employment service to meet their needs. This report fails to identify any violations of federal law, regulation or guidance, revealed no questioned or disallowed costs (as they did prior to TVC taking over the Jobs for Veterans Grant) and found no inconsistencies in TVC's State Plan, training curriculum or state policy guidance to DVOP specialists regarding Intensive Services.

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The following information in this report needs clarification or correction and may have led DOL-OIG to make the statement regarding TVC's use of \$2.9 million in DVOP funding.

1. This report claims TVC provided a list 414 veterans who received Intensive Services between July 1 and December 31, 2008. Actually, DOL-OIG requested and was provided a list of veterans who entered Intensive Services during the given dates. As a result of this draft report, TVC reviewed all veterans who received Intensive Services from a DVOP from July 1 – December 31, 2008 and found that 1,263 veterans is the correct figure.
2. The DOL-OIG report incorrectly links barriers to employment with goals in an IDP. As taught by NVTI and printed in Section Six of TVC's Veterans Employment Representative Guide, identifying barriers and setting long- and short-term goals are two distinct and separate functions.
3. The provision of Intensive Services is not automatic for service-connected disabled or homeless veterans. Trained DVOP specialists identify a veteran's barrier(s) to employment through the assessment process. Those barriers make an individual veteran a good candidate for Intensive Services. Additionally, the veteran job seeker must agree to participate in Intensive Services. This agreement and the commitment to participate in Intensive Services is particularly difficult for homeless veterans who often lack a permanent address, phone number, email address or other reliable method of contact.
4. Wage data used in this report may have been incomplete. For instance, wages reported from states other than Texas, federal wages and wages from non-reporting employers were likely not considered. On March 12, 2010, the DOL, Bureau of Labor Statistics (BLS) released their annual Employment Situation of Veterans for 2009. In that BLS report, they identified that "1 in 5 disabled veterans was employed by the federal government." The result is that DOL-OIG was likely unable to capture 20 percent of the wages for the disabled veterans sampled.
5. This report suggests that some services were recorded but not provided. It is very probable that veteran job seekers interviewed by DOL-OIG staff misunderstood the technical jargon used to describe WorkinTexas services. All TVC Veterans Employment Representatives are thoroughly trained in the use of WorkinTexas. This training includes a detailed understanding of WorkinTexas service definitions. The TVC would not expect a veteran job seeker receiving services to know the distinction between a Counseling service and a Labor Market Information service or Job Search Assistance. The TVC is confident that services were recorded correctly, consistent with WorkinTexas definitions.
6. This report does not distinguish between service-connected disabled veterans and non-service-connected disabled veterans. The United States Code in Title 38, §4211(3) defines disabled veteran as service-connected. The sample for this report did not follow this definition and resulted in a flawed report title and conclusions.

Beyond the DOL-OIG review of Veterans Employment Services, it's important to recognize the integrated nature and importance of consolidated services available to veterans from the Texas Veterans Commission. In 2005, Governor Rick Perry and the State Legislature agreed that consolidating Employment, Education, and VA Claims Counseling within the State's veteran advocacy agency was the best model for veterans to access the services and benefits they have earned. Three years after the consolidation, the Governor and Legislature recognized the record-setting success of TVC's work and expanded our ability to assist veterans with the addition of the Fund for Veterans' Assistance in 2009. The Veterans Employment Services program is fully integrated with the agency's other programs of Claims Counseling, Education, the Fund for Veterans' Assistance and Marketing efforts. A constant flow of internal referrals and communication ensures that veterans in Texas have one-stop to receive the broadest range of services and benefits information available in the county.

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The recent addition of a Business Outreach Coordinator has enabled TVC to improve on the traditional model of veterans employment services and truly act on behalf of the employer to recruit qualified veterans for specific jobs. In less than six months of activity, our business outreach efforts have yielded 78 jobs dedicated for exclusively for veterans from 23 employers.

Consolidating Veterans Employment Services, Claims Counseling and Veterans Education within the State's veteran advocacy agency and adding the resources of the Fund for Veterans Assistance is an undeniable success for Texas.

If you have any questions or would like to discuss our response to the draft audit report, please don't hesitate to contact me.


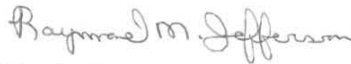
Sincerely,



JAMES E. NIER
Executive Director

CC: Mary Stepney, DOL-OIG
John McKinny, DOL-VETS
Larry Temple, TWC

VETS Response to Draft Report

U.S. Department of Labor	Assistant Secretary for Veteran's Employment and Training Washington, D.C. 20210	
APR 09 2010		
MEMORANDUM TO:	ELLIOT P. LEWIS Assistant Inspector General for Audit	
FROM:	RAYMOND M. JEFFERSON  Assistant Secretary Veterans' Employment and Training Service	
SUBJECT:	Texas Veterans Commission Draft Audit Report #06-10-001-02-201	

This memorandum responds to U.S. Department of Labor Inspector General Report on the Texas Veterans Commission Draft Audit Report #60-10-001-02-201. Your recommendations in the Report are as follows:

- that the Assistant Secretary for Veterans' Employment and Training require the Texas Veterans Commission to provide training to all Disabled Veterans' Outreach Program (DVOP) specialists on accurately assessing veterans needs and documenting intensive service activities; and,
- that the Assistant Secretary for Veterans' Employment and Training implement a policy that requires states to enhance their existing oversight to ensure DVOP specialists conduct case management services for homeless and disabled veterans.

Veterans' Employment and Training Service (VETS) currently provides training on assessing veterans needs and documenting intensive service activities. This training is conducted at the National Veterans' Training Institute (NVTI). VETS has recognized the need to improve intensive services by DVOP specialists and is coordinating with NVTI to determine ways to improve intensive service training. In addition, VETS provided the State of Texas additional funding to establish an online case management system to document intensive services provided by DVOP specialists.

Over the course of this past year, VETS has identified the need for DVOP specialists to provide more intensive services and to better document those services. This year a Nationwide initiative to refocus the DVOP program on providing intensive services will be implemented.

I would like to take this opportunity to thank the Inspector General team for their work on this report. I look forward to using it to assist in improving employment and training services to Veterans.