

Washington State WorkSource Information Notice (WIN)

WIN Number: 0152, Change 2

WIN Title: Federal Stay on Implementation of Training and Employment Guidance Letter 10-23, Change 2.

Date: September 11, 2025

Expiration: TBD

Purpose:

To provide an update regarding the preliminary injunction granted by the Court to extend the stay on the U.S. Department of Labor's implementation and enforcement of Training and Employment Guidance Letter (TEGL) 10-23, Change 2.

Action Required:

Local Workforce Development Boards and their contractors, as well as Employment Security Regional Directors, must distribute this guidance broadly throughout the system to ensure that WorkSource System staff are familiar with its content and requirements.

Content:

Twenty (20) states, including Washington, and the District of Columbia filed suit against the U.S. Departments of Justice, Health and Human Services, Education, and Labor on July 25, 2025 challenging the notices issued by those Federal agencies with interpretations of *Federal Public Benefits* under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). In response to the suit, those Federal agencies agreed to stay implementation of their notices. The parties originally agreed to a stay through September 3, 2025. It was later determined that the Court rejected that agreement as it would be unable to rule by that date, so the parties subsequently agreed to a stay through September 11, 2025.

In the case of the U.S. Department of Labor (DOL), guidance on its interpretation of *Federal Public Benefits* was issued on July 10, 2025 through TEGL 10-23, Change 2 (Work Authorization Verification in Grant Programs Administered by the Employment and Training Administration).

TEGL 10-23, Change 2, directed grantees of DOL Employment and Training Administration (ETA) programs, including the WIOA Title I-B youth, adult, and dislocated worker programs, WIOA National Dislocated Worker Grants, Wagner-Peyser Employment Service, and WIOA Section 167 National Farmworker Jobs Program, among others, to request, verify, and retain copies of work authorization documentation from otherwise program-eligible individuals that receive participant-level services as defined in Attachment II of TEGL 19-16.

On August 20, 2025, the plaintiffs filed a request with the Court for a preliminary injunction to prevent the Federal agencies subject to the suit, including DOL, from implementing or enforcing their guidance (TEGL 10-23, Change 2, in DOL's case) while the case works its way through the judicial system. The Court **granted** the plaintiffs' request on September 10, 2025. As a preliminary injunction is in place, state grantees, subrecipients, and contractors in receipt of these DOL ETA program funds can, for now, continue program activities without complying with TEGL 10-23, Change 2.

An update to WIN 0152, Change 2, will be issued when additional information on the suit (e.g., a court decision) or TEGL 10-23, Change 2, becomes available.

References:

- [U.S. District Court for the District of Rhode Island, Case 1:25-cv-00345-MSM-PAS, Document 39](#); July 25, 2025
- [Training and Employment Guidance Letter \(TEGL\) 10-23, Change 2](#); July 10, 2025
- [Training and Employment Guidance Letter \(TEGL\) 19-16](#); Attachment II, March 1, 2017

Website:

[Workforce Professionals Center](#)

Direct Inquiries To:

*Employment System Administration and Policy
Employment System Policy and Integrity Division
Employment Security Department
P.O. Box 9046
Olympia, WA 98507-9046
SystemPolicy@esd.wa.gov*

Attachments:

None